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PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL

OF THE GOVERNOR OF MADRAS

OFFICIAL REPORT

THIRD SESSION OF THE FOURTH LEGISLATIVE COUNCIL UNDER THE GOVERNMENT OF INDIA ACT, 1919

Wednesday, the 25th January 1933

RECEIVED

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[See overleaf.]

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THE LEGISLATIVE COUNCIL OF THE GOVERNOR OF MADRAS.

Wednesday, the 25th January 1933.

The House met at eleven of the clock, Mr. President (the hon. Mr. B. RAMACHANDRA REDDI) in the Chair.

PRESENT.

Usman Sahib Bahadur, K.C.I.E., The hon. Khan Bahadur Sir Mahomed.
Krishnan Nayar, *Kt.*, The hon. Diwan Bahadur Sir M.
Campbell, K.C.I.E., C.S.I., C.B.E., V.D., I.C.S., The hon. Sir Archibald.
Stokes, C.S.I., C.I.E., I.C.S., The hon. Mr. H. G.
Raja of Bobbili, The hon. the
Rajan, The hon. Mr. P. T.
Kumaraswami Reddiyar, The hon. Diwan Bahadur S.
Abdul Hameed Khan Sahib Bahadur.
Ahmed Miran Sahib Bahadur.
Alagannan Chettiyar, Rao Sahib A. S.
Alamelumangathayaramma, Mrs. K.
Arasu, Mr. V. T.
Ari Gowder, Mr. H. B.
Basheer Ahmed Sayeed Sahib Bahadur.
Basu Dev, Mr. C.
Bayappa Reddi, Mr. P.
Beyabani Sahib Bahadur, S. M. K.
Bhanoji Rao, Mr. A. V.
Birley, Mr. F.
Davis, Mr. J. A.
Devadasan, Mr. M.
Dharmalingam Pillai, Rao Sahib V.
Duraiswami Reddiyar, Mr. K. M.
Ellappa Chettiyar, Diwan Bahadur S.
Foulkes, Mr. R.
Gopalaswami Mudaliyar, Diwan Bahadur M.
Harischandrudu Nayudu, Mr. A.
Hood, I.C.S., Mr. H. M.
Indriah, Mr. C.
Jagannadha Raju, Rao Bahadur G.
Jagannatham, Mr. H. M.
Jayaram Nayudu, Rao Sahib C.
Jones, I.C.S., Mr. C. E.
Kesava Ramamurti Nayudu, Mr. K.
Khalif-ul-lah Sahib Bahadur, Khan Bahadur P.
Kolanda Reddi, Rai Sahib C.
Krishnayya Choudari, Mr. P. V.
Krishnamurti, Rao Sahib D.
Krishnan, Mr. C.
Krishnaswami Ayyar, *Kt.*, Diwan Bahadur Sir Alladi.
Kumara Raja of Venkatagiri, The
Kuppuswami Choudari, Mr. J.
Lakshmana Reddi, Mr. G.
Langley, Mr. W. K. M.
Luker, Mr. F. G.
Madanagopal Nayudu, Mr. R.
Maharaja of Venkatagiri, The
Mahmud Schamnad Sahib Bahadur, Khan Bahadur.
Manikkavelu Nayakar, Mr. M. A.
Moidoo Sahib Bahadur, Khan Bahadur T. M.
Moses, Mr. P. C.
Muhammad Meera Ravuttar, Mr. K. P. V. S.
Muniswami Nayudu, Diwan Bahadur B.
Muniswami Pillai, Rao Sahib V. I.
Muthiah Chettiyar, Mr. M. A.
Nachiyappa Gounder, Mr. K. A.
Nanjappa Bahadur, Subadar-Major S. A.
Narasa Reddi, Mr. T.
Narasimhaswami, Rao Sahib D. V.
Narayanan Nambiyar, Mr. V. P.
Natesa Mudaliyar, Rao Bahadur C.
Palat, Mr. R. M.
Pannirselvam, Rao Bahadur A. T.
Parthasarathi Ayyangar, Mr. C. R.
Patnaik Mahasayo, Sriman M. G.
Pocker Sahib Bahadur, B.
Premayya, Mr. G. R.
Rajagopala Pillai, Mr. P. V.
Ramachandra Padayachi, Mr. P. K.
Ramalingam Chettiyar, Rao Bahadur T. A.
Ramamurti, Pandit Ganala.
Raman Menon, Mr. K. P.
Ramaswami Ayyar, Mr. T. S.
Ramaswami Mudaliyar, Mr. V. M.
Ranganatha Mudaliyar, Mr. A.
Ranganatha Mudaliyar, Mr. G.
Ranganatha Mudaliyar, Mr. M. D. T.
Rangaswami Reddi, Mr. M. B.
Sahajanandam, Swami A. S.
Sami Venkatachalam Chetti, Mr.
Sesha Reddi, Mr. B. P.
Shetty, Mr. A. B.
Simhachalam Pantulu, Mr. Gade.
Singam Ayyangar, Mr. K.
Siva Raj, Rao Sahib N.
Slater, C.M.G., C.I.E., I.C.S., Mr. S. H.

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PRESENT—*cont.*

Smith, C.I.E., I.C.S., Mr. E. Conran.
Sreshta, Mr. M. S.
Srinivasa Ayyangar, Mr. T. C.
Srinivasan, Rao Bahadur R.
Sriramulu, Mr. G.
Subbarayan, Dr. P.
Subrahmanya Chetti, Rao Sahib P.
Subrahmanya Bhatt, Mr. U. C.
Sundara Rao Nayudu, Mr. T.
Syed Tajuddin Sahib Bahadur, Khan Sahib.
Thorne, C.I.E., I.C.S., Mr. J. A.
Vasudeva Pillai, Mr. V. G.
Venkatachala Reddiyar, Mr. K. C. M.
Venkatarama Ayyar, Mr. K. R.
Venugopal Nayudu, Rao Bahadur R. K.
Wright, Mr. W. O.
Yakub Hasan Sahib Bahadur.
Zamindar of Bodinayakkanur, The
Zamindar of Chemudu, The
Zamindar of Kirlampudi, The
Zamindar of Mirzapuram, The

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

Prisons and Prisoners

Supply of buttermilk to C class prisoners.

* 488 *Q.*—Mr. G. Lakshmana Reddi: Will the hon. the Law Member be pleased to state—

(*a*) whether the Government have received proceedings of a meeting of the non-official visitors of the Bellary Central Jail presided over by Diwan Bahadur M. Gopalaswami Mudaliyar urging the modification in the jail diet given to the C class prisoners specially recommending the supply of buttermilk in order to ensure better health and if so, what action has been taken in the matter;

(*b*) whether the Government have also received complaints regarding bowel complaints and in particular dysentery prevalent among prisoners for want of buttermilk as part of their diet; and

(*c*) whether the Government have made any and if so, what enquiry to see if they should not change their opinion in regard to the supply of buttermilk?

A.—(*a*) The answer to the first part of the question is in the negative and the second part of the question does not arise.

(*b*) No.

(*c*) No.

Mr. G. Lakshmana Reddi:—" May I know whether the report of the proceedings of any meeting of the non-official visitors has since been received? "

The hon. Diwan Bahadur Sir M. Krishnan Nayar:—" No, Sir."

Mr V. M. Ramaswami Mudaliyar:—" May I know, Sir, whether in view of the feeling in respect of the non-supply of buttermilk to C class prisoners among the Members of this House, Government have any intention of modifying those rules? "

The hon. Diwan Bahadur Sir M. Krishnan Nayar:—" I shall consider my friend's suggestion."

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Irrigation

Irrigation works in the Tinnevelly district for which Capital and Revenue Accounts are not kept by the Government.

* 489 *Q.*—Mr. M. Devadasan: Will the hon. the Member for Revenue be pleased to state with reference to Irrigation works in the Tinnevelly district for which capital and revenue accounts are not kept by the Government—

(*a*) the gross revenue and the total outlay incurred during the last financial year for which figures are available; and

(*b*) the amounts spent in respect of each work in charge of the Public Works Department during that year?

A.—(*a*) The gross revenue and total outlay incurred in 1931–1932 were Rs. 12,98,372 and Rs. 2,72,163 respectively.

(*b*) A statement [a] giving the information is appended.

Land Revenue Administration

Extent of cultivable land in the Tinnevelly district lying uncultivated.

* 490 *Q.*—Mr. M. Devadasan: Will the hon. the Member for Revenue be pleased to state—

(*a*) whether it is a fact that 6·46 lakhs of acres of cultivable land in the Tinnevelly district is at present uncultivated; and

(*b*) whether the Government have got any policy for bringing this large extent of land as well as similar extents in other districts into cultivation?

A.—(*a*) The extent of cultivable waste other than fallow in the Tinnevelly district at the end of fasli 1341 was 151,280 acres.

(*b*) The policy of Government relating to the disposal of cultivable land is embodied in the Board's Standing Orders Nos. 15, 17, 18, 19, 19-A, 21, 24 and 26.

Mr. V. T. Arasu:—" May I know whether Government will consider the desirability of amending the Board's Standing Orders so as to enable private individuals to acquire lands more easily than at present?"

The hon. Sir Archibald Campbell:—" The question of acquisition of lands is dealt with in the Land Acquisition Act."

Mr. V. T. Arasu:—" I wanted to know whether Government will consider the desirability of amending the Board's Standing Orders so that these lands may be liberally allowed to all those who apply for the same?"

The hon. Sir Archibald Campbell:—" If my hon. Friend puts a definite suggestion I shall be pleased to consider it."

[a] Printed as Appendix I on pages 373–378 infra.

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Mr. A. RANGANATHA MUDALIYAR:—" Sir, some of the Board's Standing Orders refer to the disposal of lands when an irrigation project is under execution or contemplation. May I know whether in the Tinnevelly district there are any projects of such character, that is, either under execution or investigation?"

The hon. Sir ARCHIBALD CAMPBELL:—" It is possible that the Board's Standing Orders may apply to the Papanasam Scheme, but I cannot answer the question without notice."

Mr. A. RANGANATHA MUDALIYAR:—" Barring lands under that scheme, may I know whether there are lands available for assignment under darkhast rules?"

The hon. Sir ARCHIBALD CAMPBELL:—" I believe there are."

Mr. A. RANGANATHA MUDALIYAR:—" Under cowle rules also?"

The hon. Sir ARCHIBALD CAMPBELL:—" Under the Board's Standing Orders."

Railways

Facilities to the Tanjore Mirasidars for the exportation of rice.

* 491 *Q.*—Mr. K. S. SIVASUBRAHMANYA AYYAR: Will the hon. the Member for Finance be pleased—

(*a*) (i) to lay on the table all petitions addressed to the Government by the Tanjore district mirasidars for providing better export facilities for their rice to other countries and to Ceylon in particular and for a reduction in the South Indian Railway Company's freight thereon;

(ii) to state whether the Government accepted the resolution moved by Mr. K. Chidambaranatha Mudaliyar of Shiyali and by the late Sir Ahmed Tambi Marakkayar of Negapatam, urging on the Government for opening all the Tanjore district minor ports like Tirumullavasal, Nagore, Point Calimere, Adirampatnam, etc., to facilitate Tanjore district rice export at cheaper steamer-boat transhipment charges; and

(*b*) if the answer to (*a*) (ii) be in the affirmative, what action the Government have taken thereon?

A.—(*a*) (i) The question of providing better export facilities for the Tanjore district rice to other countries including Ceylon, and for reducing the railway freight thereon was referred to in a printed memorial, of which considerable numbers in identical terms were received on different dates, and in resolutions passed on various occasions by a number of associations in the Tanjore district. Relevant extracts[a] of the printed petition and of the resolutions are appended.

[a] Printed as Appendix II on pages 379–380 infra.

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(ii) The reference apparently is to the resolution moved in the Council on 30th March 1915 by Mr. K. Chidambaranatha Mudaliyar and seconded by the late Sir A. T. G. M. Ahmed Tambi Marakkayar recommending that a special officer be deputed to inquire into the causes of the decline in the number of minor ports in this Presidency and in the trade in many of them and to suggest measures for improving their number and developing their trade. The resolution was finally withdrawn with the permission of the President and the question of Government's acceptance of the resolution did not arise.

(b) The question does not arise.

Rao Bahadur A. T. PANNIRSELVAM :—" May I know whether Government have realized the urgent necessity for providing transport facilities for the removal of paddy in the Tanjore district; and if so, will they consider the possibility of the opening up of some of those ports? "

The hon. Mr. H. G. STOKES :—" That is also under consideration. We have appointed a special officer to go into the whole question and his report is now under the consideration of Government."

Education

Restoration of stipends for pupil-teachers in elementary and secondary training schools.

* 492 *Q.*—Mr. A. B. SHETTY : Will the hon. the Minister for Education and Excise be pleased to state—

(a) whether the Government propose to restore the cut in the stipends of pupil-teachers in elementary training schools in 1932–33;

(b) whether any representation has been received from pupil-teachers in secondary training schools for the restoration of stipends from next year; and

(c) if so, what the Government propose to do in the matter?

A.—(a) No.

(b) No representation has been received by Government.

(c) Does not arise.

Mr. A. B. SHETTY :—" May I know why Government do not propose to restore the cut? "

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR :—" These cuts have been made as a permanent measure and not as a temporary one."

Mr. A. RANGANATHA MUDALIYAR :—" Was it done because Government thought the fall in prices would be a permanent one? "

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR :—" No, Sir, on the recommendation of the Retrenchment Committee who went carefully into the matter."

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Mr. A. RANGANATHA MUDALIYAR:—" Was the recommendation of the Committee to give retrospective effect?"

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" This question does not relate to retrospective effect."

[*Note.*—An asterisk (*) at the commencement of a speech indicates revision by the Member.]

II.—ADJOURNMENT MOTION *RE* THE DISTRIBUTION OF THE MUNICIPAL WARDS IN MADURA.

* Mr. K. R. VENKATARAMA AYYAR:—" Sir, I beg leave of the House for moving an adjournment of the business of the House to discuss a definite matter of urgent public importance, namely, the proceedings of the Government in the Local Self-Government Department notifying the division of the Madura Municipal Council wards in Notification No. 54 in the *Fort St. George Gazette* Extraordinary issued on 19th January 1933."

Mr. SAMI VENKATACHALAM CHETTI:—" I second it."

* The hon. the PRESIDENT:—" I wish the hon. Member will convince me about the urgency as well as the great public importance. If he satisfies me about them, I shall consider the admissibility of the motion."

* Mr. K. R. VENKATARAMA AYYAR:—" I am glad the hon. the President has called upon me to explain"

* The hon. the PRESIDENT:—" I don't want a long speech over that."

* Mr. K. R. VENKATARAMA AYYAR:—" The fact is that the Madura Municipality was previously divided into eighteen electoral wards in the last elections, which were held previous to the supersession. In 1931 when the Municipal Council was functioning, for over a period of about three months from April to June, the Municipal Council took up and considered the question of the re-division of wards. Public notice was given to all the inhabitants and interests concerned to give them an opportunity to make adequate and proper representations of their objections or otherwise in the matter. The Municipal Council made its own proposals, and eventually the Inspector of Municipalities went down from here and was present at the meeting of the Municipal Council to help them in arriving at a fair re-distribution of the wards. In accordance with his advice and in consultation with him the Municipal Council drew up a scheme of wards. And in this the Inspector himself acted not only in consultation with the Municipal Council but also on the representations of various interests concerned. He acted only after satisfying himself as to what was the most equitable and fairest mode of distribution, due regard being had to the interests of various communities and vested interests. Eventually Government approved that scheme and notified it on 16th June 1931. There was some little discontent apparently in some quarters; a representation was made to the Government, and the Government enquired into it, found it to be baseless, and confirmed that redistribution by issuing a Government Order in

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August 1931. Administratively this scheme came into force, and the 29 wards system has prevailed from July 1931. Electoral rolls were published with effect from July 1931. Somehow or other in the latter half of 1932 some scheming interested individuals apparently brought up a complaint against that distribution of wards, particularly stating that the wards were manipulated by the late Chairman, Mr. Tulasiram, so as to secure an undue strength for his Sourashtra community. That complaint was again gone into by the Special Officer who was in charge of the Municipality. The Inspector of Municipalities was also asked to go into this, and this time he happened to be Mr. Tampoe, and not Mr. Gopalaswami Ayyangar. The Special Officer examined the distribution of wards, and this investigation he spread over some months. The Special Officer sent in his report in October 1932 bringing out very clearly that there was not the least foundation for the allegation against Mr. Tulasiram. Mr. Tampoe endorsed that report, and the old distribution of 29 wards that had been already notified in accordance with the report of Mr. Gopalaswami Ayyangar was again confirmed by Government by a Government Order which was received by the Special Officer on the 1st December 1932. Now the elections are notified to be held on the 11th February and the counting on the 13th proximo. They were waiting to see the announcement in the notice board of the municipal office. That notice was about to be put up on the 6th of this month. Two holidays intervened. Various intending candidates had already begun to canvass votes. They had purchased copies of electoral rolls. But, on the 9th instant, a few letters were sent round by the Special Officer to a few select individuals that the manager of the Inspector's office had arrived in order to consider the re-distribution of wards; who that manager is nobody knows; but we find a re-classification of wards put up, apparently done in consultation with interested individuals, evidently because the chances of success of some of the intending candidates were not bright. Therefore, a public meeting was held in Madura representing various communities. As nearly as one thousand people mustered in the Town Hall, and all communities, Sourashtras and non-Sourashtras, Hindus and Muslims, all gathered there to denounce this eleventh-hour distribution of wards. The meeting authorized a body of persons to wait on His Excellency and the Chief Minister on deputation on this matter. I headed that deputation. Mr. Tampoe also came to Madura and stayed there for 24 hours or less than 48 hours, and then he came here to inform Government of what really happened there. Now under the law 15 days' notice is required for the scrutiny of electoral rolls, to receive claims and objections and deciding them. Now we are asked to go for election not upon the old rolls, not upon any valid rolls, and much confusion has been introduced, if not also bitter discord between the Sourashtra and non-Sourashtra communities, for which there is no justification. Now there is no time for the preparation and scrutiny of electoral rolls, for receiving claims and objections and for final publication of the rolls. All statutory rules

[Mr. K. R. Venkatarama Ayyar] [25th January 1933

have been given the go-bye. Much was made yesterday of these rules; and here is a case which goes counter to all of them. In fact there is no time for observing all these rules; and yet the elections are proposed to be held very early. So, is not this matter urgent, is it not public, and is it not important?"

* The hon. the RAJA OF BOBBILI:—"In the file I also find, Sir, the opinion of the Collector, Mr. Hall . . . "

Mr. ABDUL HAMEED KHAN:—"On a point of order, Sir, may I know what the hon. Minister is saying? Is he going into the merits of the whole question and giving his reply to the adjournment motion?"

* The hon. the PRESIDENT:—"The hon. Member will kindly wait for a couple of minutes."

* The hon. the RAJA OF BOBBILI:—"The opinion of the Collector of Madura, Mr. Hall, one of the most experienced and efficient officers of Government, is as follows:—

11-15 a.m. 'I have had the allegations in the petitions investigated by one of my Deputy Collectors and hold that the Special Officer had cause for suspecting that the division of the municipality into wards by the late Chairman was so manipulated as to secure a predominance of Sourashtra councillors. Even a cursory examination of the wards leads to show that wards Nos. 3, 14, 15, 18, 19, 20, 22, 23, 24, 26, 27 and 28 would go to representatives of the Sourashtras, because the population therein consists entirely of Sourashtras . . . etc.'

"On looking into this, Sir, I felt convinced that the matter is of sufficient importance to merit a re-investigation. The Inspector was asked to go to Madura and examine the reasons given in the petition and submit fresh proposals to the Government, if he was convinced that there were proper grounds for re-classification of the wards. On receipt of his report the Government have carefully gone into the details and when it was found that the Sourashtra community which is only 20 per cent of the population is likely to secure a large block of 12 to 14 seats in the municipality and the interests of all the other communities have not been properly taken into consideration, I felt convinced that there was a case for revision. No doubt the original proposals were approved by the Government but I also felt convinced that a mistake had been committed, and when time is available there is no harm in rectifying the mistake. New proposals have been made and dates have already been fixed in February, and on the 13th the results will be declared. So, within the time fixed in the original order, i.e., the 14th February, the elections will be completed, and there will be no need to extend the period of supersession. In view of the statement I have made, Sir, I feel there is no necessity for this adjournment motion."

* The hon. the PRESIDENT:—"After hearing both the sides, I think that this has assumed some importance and urgency. I therefore hold that the motion is in order. Does any hon. Member object? (After a pause.) Objection not having been taken, the motion will be taken up for discussion at 4 o'clock this afternoon."

III.—HOLIDAY FOR COUNCIL ON ACCOUNT OF RAMZAN I D.

Mr. YAKUB HASAN:—" Mr. President, Sir, with your permission, I should like to move that this Council do not sit on Friday next. My reason for making this motion is that Saturday next is a holiday on account of Ramzan Id, and if by chance, the moon appears on Thursday evening, this Council will not sit on Friday next because that will become a holiday on account of Ramzan Id falling on that day. But I want that the Council should make up its mind not to sit on Friday, so that the Council may have proper notice for not sitting on Friday. Besides this, Sir, the Council should not sit on the day previous to an important holiday like that of Id. Because the Mussalman Members of this Council would wish to go home and be present on the great day at their homes; and if they want to do so, they have to start a day earlier. If they start on Friday they will not reach home till about 1 o'clock or 2 o'clock and in the case of some places in Malabar till 3 o'clock in the afternoon on the holiday. So, for these reasons, I move—

'*that the Council do not sit on Friday next*'."

Mr. ABDUL HAMEED KHAN:—" I second it."

* The hon. the PRESIDENT:—" This is not a regular motion and need not be seconded."

The hon. Sir MAHOMED USMAN:—" I have no objection."

Diwan Bahadur B. MUNISWAMI NAYUDU:—" I have no objection. I suppose both Friday and Saturday will be holidays. Saturday is already a public holiday, and the proposal now is to have Friday as a holiday. I take it that this is in addition to Saturday."

The hon. Sir MAHOMED USMAN:—" It is in addition to Saturday."

Dr. P. SUBBARAYAN:—" I agree to the proposal."

The proposal was agreed to.

IV.—ELECTION OF A MEMBER TO THE FINANCE COMMITTEE.

* The hon. Mr. H. G. STOKES:—" Sir, I beg to move—

'*that with a view to the filling up of the vacancy in the Standing Finance Committee caused by reason of the seat of Mr. F. E. James having been declared vacant on account of his election as a Member of the Legislative Assembly and his taking his oath of allegiance as such Member, this Council do proceed to elect a Member of the said Committee.*"

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—" I second it."

The motion was put and carried.

* The hon. the PRESIDENT:—" I have to inform the House that in accordance with the regulations framed under Standing Order No. 80 for the holding of elections by means of the single transferable vote,

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I fix 3 p.m. to-day as the time by which nominations of candidates for election of a Member to the Finance Committee should be sent to the Secretary. If the number of candidates exceeds the number of vacancies, namely, one, there will be an election between 2-30 p.m. and 4 p.m. to-morrow."

V.—A BILL TO AMEND THE MADRAS ESTATES LAND ACT, 1908 (BILL No. 12 OF 1931).

* The hon. Sir ARCHIBALD CAMPBELL :—" Mr. President, Sir, I beg to move—

'*that the consideration of the next item of business be postponed to Monday next*'.

" My reason for making this motion is that when I was coming into this Chamber just now, certain proposals were made to me in connexion with this Bill and the Government would like to have time to consider those proposals; and we hope to be able to make an announcement on Monday next."

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR :—" I second it."

The motion was carried and the consideration of the Bill to amend the Madras Estates Land Act was postponed to Monday next.

VI.—A BILL FURTHER TO AMEND THE MADRAS COURT OF WARDS ACT, 1902 (BILL No. 6 OF 1932).

* The hon. Sir ARCHIBALD CAMPBELL :—" Mr. President, Sir, I beg to introduce the Bill [a] further to amend the Madras Court of Wards Act, 1902, for certain purposes and move—

'*that the Bill be taken into consideration at once.*'

" This Bill is intended to apply to this Province a provision relating to the powers of the Court of Wards with reference to its control of expenditure by the wards. The Madras Court of Wards makes suitable allowances to its wards but has recently had to meet certain claims made against an estate on account of the expenditure incurred by a ward to whom a liberal allowance was made. This has happened on more than one occasion. In the Central Provinces this difficulty has been met by a provision in the Act that properties of wards shall not be liable under section 68 of the Indian Contract Act, but power has been reserved to the Court of Wards to meet such claims in whole or in part in proper cases. This latter proviso enables any unusual expenditure properly incurred by a ward in an emergency to be met by the Court of Wards from the estate funds. It is proposed to make similar amendments in the Madras Court of Wards Act."

* Mr. V. M. RAMASWAMI MUDALIYAR :—" Mr. President, Sir, I beg leave to move the amendment standing in my name, viz.—

'*that the Bill be referred to a Select Committee consisting of the following Members :—The hon. the Revenue Member, the*

[a] Published in the *Fort St. George Gazette*, dated 5th July 1932.

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Advocate-General, the hon. the Raja of Bobbili, Mr. F. G. Luker, Mr. Basheer Ahmed Sayeed, Mr. M. A. Manikkavelu Nayakar, Mr. C. Basu Dev, Mr. A. B. Shetty, Mr. V. T. Arasu, Mr. G. Sriramulu Nayudu, Rao Sahib D. Krishnamurti, the Kumararaja of Venkatagiri, Mr. M. D. T. Ranganatha Mudaliyar and myself.'

"Sir, my reason for moving that this Bill be referred to a Select Committee is this. I feel that under the law as it stands, for instance, under the Indian Contracts Act, the position of an infant is sufficiently safeguarded and any move to place infants in charge of the Court of Wards in a position of special vantage does make large inroads into the general law as it exists to-day. There have been a number of cases where such vantage positions have been created in law both in this country and in other countries. But before placing a class of persons in that special position, it is necessary to examine carefully the reasons why they should be placed in that position because the position of vantage in which the ordinary law is made inapplicable should be very rare. I feel also that in a way the merchant community in this Presidency will have to think twice over before they can approve of a measure such as this because in fact it will affect them in a serious way, as it takes away the discretion which is now vested in courts of law to find whether the purchases or transactions entered into by an infant are 'necessary' in the sense the term is understood in legal parlance. Now that discretion which is at present vested in an impartial tribunal like the judiciary in this Presidency is sought to be taken away and vested in an officer in charge of the Court of Wards. It is only an executive order. Therefore I suggest to this Council that this Bill should be carefully scrutinized and should pass through the Select Committee stage."

* Mr. T. C. SRINIVASA AYYANGAR:—"I hope the Government will not oppose this motion. Although it is a Bill of only one section, the matter contained therein is of considerable importance. Section 68 of the Contract Act occurs in that portion of the Law of Contracts which deals not with contracts properly so-called but with what are known as quasi-contracts. It is only an obligation that is imposed by force of statute and not by force of the obligation arising from the contracts entered into by persons who are *sui juiris*. Section 68 deals with cases of necessaries supplied to a minor or to one whom the minor by law is bound to maintain. In such cases the man having such a claim is bound to prove all the essentials which will give him the right to recover the cost. In the absence of such a proof which the courts of law will exact the claim will fail. In the absence of a provision like that contained in section 68 of the Contract Act there will be considerable hardship particularly in the case of persons whose status is denied wrongfully or of persons whose right to maintenance is disputed either by custom or by virtue of certain decisions of courts of law, but are not decided finally. Now the object of the Bill is to take away the obligation which section 68 has enacted under so many stringent conditions

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and to give merely a discretion to the Court of Wards. The Bill is one of considerable importance and I hope the House will support the motion so that the matter may be given full consideration in the Select Committee."

Mr. M. DEVADASAN:—"I want to move an amendment. I move that the names of Rao Bahadur R. Srinivasan and Mr. A. T. Pannirselvam be added to the Select Committee. I also move that Mr. Hameed Khan's name be added."

Rao Sahib V. I. MUNISWAMI PILLAI:—"I second it."

Mr. R. MADANAGOPAL NAYUDU:—"I move for the addition of Mr. Moidoo's name."

The hon. the PRESIDENT:—"That brings us to the necessity of suspending the Standing Order. Is the hon. Member pressing his name?"

Mr. R. MADANAGOPAL NAYUDU:—"I move that under Standing Order No. 39 (2) the strength of the Select Committee do exceed 15."

The motion was duly seconded.

Mr. SAMI VENKATACHALAM CHETTI:—"It seems to be unnecessary, Sir."

The motion that the Standing Order be suspended to make the number 18 was put and carried.

The hon. Sir ARCHIBALD CAMPBELL:—"I am not opposing this motion."

Mr. ABDUL HAMEED KHAN:—"I propose the name of Mr. Nambiyar."

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—"Nobody will object if the name of a Member of this House is mentioned. Everybody is competent and honourable but I earnestly put it to my friend whether it is necessary to have such a large Committee as 19. Even now it is 18. (Mr. Abdul Hameed Khan: '18 is a bad number.') I put it to my Friend, not that I object, whether it is really necessary to add the name of Mr. Nambiar."

Mr. SAMI VENKATACHALAM CHETTI:—"I entirely agree with the hon. the Law Member. I only wish that these remarks were made a little earlier."

The motion of Mr. Ramaswami Mudaliyar, as amended by Messrs. Devadasan, Madanagopal Nayudu and Hameed Khan, was put and carried.

VII.—REPORT OF THE MADRAS SERVICES COMMISSION FOR 1931-32.

* The hon. Sir ARCHIBALD CAMPBELL:—"I move—

'*that the Report of the Madras Services Commission for the year 1931–32 submitted with reference to section 20 of the Madras Services Commission Act (Madras Act XI of 1929) be taken into consideration*'."

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The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR :—" I second it."

Mr. ABDUL HAMEED KHAN :—" There is no doubt that the Public Services Commission of Madras has been doing useful work. We have come to believe that there is a need for such an institution. But at the same time I should like to point out that instead of reducing the hardship that is felt by the candidates and applicants for various services, the difficulties which they have to face have been increasing practically everyday. Of course last time when we were considering the same subject it was brought to the notice of the Revenue Member that the fees that have to be paid along with applications were too heavy and also that these applicants even before they are appointed are called upon to send a medical certificate from a very highly qualified medical man. These are the two main defects from which most of the applicants suffer. I can understand the need for medical fitness being considered when the applicant is actually appointed. But before he is appointed he is called upon to furnish a fit certificate which in my opinion is certainly unnecessary. When the Services Commission calls for applications for one appointment, on account of the unemployment in the Presidency among the educated people a large number of people apply. I would rather suggest to the Services Commission to devise some means by which they could make a selection by avoiding unnecessary expenditure from hundreds and sometimes thousands of applicants who come from distant parts in order to be interviewed by the Members of the Commission. I can understand personal interview in only some particular cases. Personal interview in practically every case will certainly do no good and I know the kinds of interview that take place and also the kinds of questions that are asked by the Commissioners. Sometimes the Commissioners ask very very simple questions which in my opinion will not materially help the Commissioners to come to the conclusion whether a particular candidate is personally fit for a particular job. We can as well avoid all inconvenience to the various applicants by avoiding the necessity of the applicants presenting themselves before the Members of the Commission. I am sure the Commissioners by doing that will also be free from a good deal of work which is, in my opinion, unnecessary that they should take upon themselves. The other thing is that one finds these reports contain lot of funny things which are very entertaining to the readers of the report, for example, the way in which the examinees that sat for the various examinations answer. All that shows the kind of education that is obtained in the Province has deteriorated considerably. We cannot throw the responsibility on the students for the mistakes they have made or are likely to make. The system of education is wooden. It is high time that the system is revised.

" Another matter that the Commission, I am afraid, has not given attention to is the representation of the various communities in the various services. As a matter of fact it has not carried out the various principles involved in the communal Government Order where particular

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candidates do not come forward from particular communities. I understand the rule is the chance of those interests should have accumulated effect and that when the next chance comes it should be possible for the Commission to appoint a larger number of the members of that particular community on account of the fact that it was not able to comply with the required quota in the previous years.

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"That is not, I am afraid, being done. I can give one instance in this connexion to illustrate the way in which things are being done. With regard to the Co-operative department, ever since the Commission came into existence not a single Muslim has been appointed as sub-deputy registrar, although I think the Commission has recommended a large number of non-Muslim applicants and the Government has appointed sub-deputy registrars to the extent of 25 from non-Muslims, not a single Muslim has been appointed. According to the communal Government Order, I think there ought to have been five appointments given to Muslims out of those twenty-five, whereas as things stand at present not a single Muslim has been actually appointed. I do not know what explanation the Services Commission has to give for this, whether it has not received a sufficient number of qualified applications from Muslims. It is a well known fact, Sir, that the Muslim community can supply a sufficient number of graduates qualified and competent to hold such posts."

The hon. Sir Archibald Campbell:—"On a point of information, Sir, may I ask to what appointments the hon. Member is referring?"

Mr. Abdul Hameed Khan:—"I am referring to the appointment of sub-deputy registrars in the Co-operative department. Not one single Muslim has so far been appointed to this post. I remember when the Tampoe-Hood Committee sat, they were able to select three Muslims, and not one of them has been appointed. It was in the year 1929, I think. Since then, so many selections were made and appointments made, and not one Muslim has been appointed. I give this only as an illustration. If you go into the appointments made in other departments, we find the same thing. I do not know what exactly is the reason why the Commission is not adhering to the communal Government Order in calling for applications and in making its recommendations to the Government for appointment. These are some of the things which I thought it necessary to place before the hon. the Revenue Member, who is in charge of this portfolio, so that he might consider this question and see if the Commission has any tangible reasons to advance for its lapses in this respect and if matters could be rectified in future."

Rao Sahib V. I. Muniswami Pillai:—"Sir, when we considered the report of the Services Commission of the previous year, some hon. Members representing the Depressed Classes advanced reasons as to why the facilities afforded to the Depressed Classes by the Services Commission were not enough to induce members of my community to

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take advantage of the various services. As already pointed out by my hon. Friend, Mr. Abdul Hameed Khan, the facilities given to the backward communities must be in a greater degree than they are at present. Though the Depressed Classes have been able to produce graduates in their rank and file, we find that for want of facilities in recruitment they could not get into service. In the matter of medical fees, examination and entrance fees which stand in their way, more facilities are required for them. I am sure the hon. the Revenue Member will kindly see whether special arrangements could be made to release the Depressed Class members from the payment of fees. Sir, by the kind recommendation of the hon. the Revenue Member, I think the Services Commission have been able to give us a privilege of two years in the age limit, which enables a few members of our community to get into the services. But considering the percentage of our population, the percentage of our community in the services is not proportionate. Until that is secured, I am sorry to say our progress will not be of a standard quality. One important point which I wish to bring to the notice of the Government is that people who have been selected before the Services Commission came into existence have been disturbed. One instance is that of a young man of my community who was taken into the Excise department in the year 1928 and was kept in the reserve list. In the year 1930, that young man was asked to go out as a probationary Excise Sub-Inspector. The Government spent over Rs. 100 and that young man was given the due training. Latterly, the Services Commission asked that young man to submit an application to the Services Commission, which he did. But, in the month of August 1932, after the young man had completed his probation and after having served in the department, he received a letter to the effect that he is age-barred by four months. The Government have spent money on his training; he actually served in the department; the Commission having asked him to send an application says that he is age-barred by four months in August 1930. Such an instance does not indicate that the Services Commission is taking rather a progressive step in the interests of the depressed classes. I hope the hon. the Revenue Member will bring this matter to the notice of the Services Commission and make the Commission give us some facilities so that an increased number of people of my community may be drawn into the services."

Rao Bahadur C. Natesa Mudaliyar:—" Mr. President, Sir, I am very glad that Mr. Muniswami Pillai has brought to the notice of the hon. Revenue Member that people sometime after entering the service are told when they are to be made permanent that they are over aged. I think the age limit should be taken into consideration only when they appear for the examination held by the Madras Services Commission. Otherwise, what is the use of our young men spending money, passing examinations and not being given appointments when the chance comes on the plea that they are over aged and also being asked to go. Mr. Abdul Hameed Khan was speaking about the communal Government

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Order. Of course people were recruited according to the communal Government Order. But as a result of the recommendations of the Retrenchment Committee, all those people who were recruited on the communal Government Order were sent home. In fact, things now stand as they were before the communal Government Order was brought into operation. I request the hon. the Revenue Member to see that such rigidity is not enforced in the case of Depressed Classes and backward communities who cannot afford even to pay the medical fees and examination fees of Rs. 5 and Rs. 7-8-0, and not to apply the axe of retrenchment to those recruited on the communal Government Order who have put in some service. But let the retrenchment be somewhere else or let there be no retrenchment at all. As Mr. Hameed Khan pointed out, on one selection if candidates in certain communities are wanting let this deficiency be compensated by selecting more candidates from such community next time. Otherwise, there is no use of any communal Government Order.

"As for the Services Commission, I do not know how the selections are made. I know a young man, strong, robust, fully qualified to enter the police service and he is an M.A. He appeared for the examination for recruitment of Deputy Superintendent of Police, but somehow he was not selected. Then he appeared for the Sub-Inspector's selection, and he was not selected. I do not know why he was not found fit to hold a Sub-Inspector's post, when he was an M.A., quite strong and robust. He was tall enough and broad enough while matriculates were selected. There is a rumour (I cannot guarantee to the truth of it) that the view of the Services Commission is that S.S.L.Cs. are better than M.As. and B.As. and so only S.S.L.Cs. are prferred by them. Perhaps they forget that they became M.A's. and B.A's. only after passing the S.S.L.Cs. If the Services Commission have such a view, I think they should correct it. Taking all these things into consideration, I think it would be better that we go back to the old methods of recruitment by which the Revenue Member dealt with the appointments in the Revenue department, the Law Member with appointments in his departments and the Ministers in their own departments. This will avoid the waste of much time and money now going on after the coming in of the Madras Services Commission. If retrenchment is to be made, I think we should retrench the Services Commission if they are proceeding like this. When the Commission make the selection, what do they do? They do not select people districtwar. In making selection, not only the communal Government Order should be applied, but it should be done also districtwar. Age limit should not be so rigidly applied. This Council should lay down a policy as to how they should select. There are a number of B.As. and M.As. who are within the age limit when they appear for the Services Commission examination and when they are selected by the Commission. But by the time they get a chance of entering service they become just over aged and are not allowed to enter service for their whole lives. There are

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hundreds, at least a thousand people who are not eligible for Government service solely for this reason. So, I request the hon. the Revenue Member to see that these defects are remedied, otherwise Services Commission must go."

* Mr. A. B. SHETTY :—" Sir, when the report of the Services Commission was discussed last year in this house, the attention of the hon. the Revenue Member was drawn to several important matters. The hardship caused to candidates appearing for the competitive examinations held by the Services Commission by insisting on their producing medical certificates from Civil Surgeons was one of such matters. I am glad to find that the Government in this matter have accepted the recommendation of the Services Commission and ordered that medical certificates to be produced by candidates for admission to examination for clerkships might be from civil assistant surgeons instead of civil surgeons, and the fee leviable for such certificates has also been reduced from Rs. 7-8-0 to Rs. 5. I may here ask the hon. the Revenue Member to consider further whether the candidates who appear for such examinations may not altogether be exempted from producing medical certificate. Why not allow them to produce medical certificates after they are selected or after they are actually appointed? I find, Sir, that, in 1931 there were 4,470 applications and out of these 1,750 were selected; in 1932 there were 3,173 applicants out of whom only 546 were selected. So, this medical certificate is an unnecessary tax on 2,720 candidates in 1931 and 2,627 candidates in 1932. Even supposing that the Government do not see their way to exempt candidates altogether from producing medical certificates, can they not at least order that certificates given by any registered medical practitioner may be accepted? I do not understand why a registered medical practitioner who is considered qualified for doing medical and surgical work, is not considered eligible for granting medical certificates. I think that Government, even in case they cannot exempt candidates from producing medical certificates before they are selected for appointment, can allow them to produce medical certificates given by any registered medical practitioner. It is also necessary that the fees for these certificates should be reduced from Rs. 5 to Rs. 2 or Re. 1.

" Suffering is the badge of the tribe of our unemployed young men. 12 noon. Why should Government add to their suffering by insisting on their producing certificates of physical fitness from assistant surgeons when they seek employment?

" In connexion with interviews also, Sir, they are put to a lot of trouble. This is a matter which requires consideration from Government. The report before us shows that 696 persons applied for the selection of Police Sub-Inspectors' posts, 662 of them appeared for interviews and out of these 57 were recommended. For the posts of Research Assistants there were 109 qualified applicants. Out of these 103 appeared for interview and in the end only 8 were recommended for appointment. For the posts of Junior Inspectors of Co-operative Societies, there were 797 qualified applicants, 752 appeared for interview

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and only 80 were recommended. For the posts of Sub-Inspectors of Excise 680 persons appeared for interview and 41 were selected. I do not understand why the Commission cannot have a preliminary scrutiny of the applications and call for interview only the most eligible of the candidates and thus minimize as much as possible the inconvenience and expenses caused to the candidates most of whom have to go back disappointed after the interview.

"Attention has been drawn in the report to the deficiency of candidates from Muhammadan, Christian and Depressed Class communities for appointment as clerks and to the fact that several vacancies which were to be filled by one or other of these communities, had to be allotted to other community people. In this connexion the Government may examine the question whether they cannot raise still further the maximum age-limit for the Depressed Classes candidates. They may also consider what further concessions they can give to the Depressed Classes so as to improve the supply of such candidates. The question whether the educational qualifications may be a bit lowered in the case of candidates belonging to the Depressed Classes is also worth examining.

"The specimen howlers published in the report afford interesting reading. The results of the examinations and the reports received from examiners disclose that both in general knowledge and in their ability to express themselves clearly and accurately, either in vernacular or in English, the candidates have shown themselves to be deplorably poor. A similar unsatisfactory state of things was reported last year also. I wish to know whether the attention of the Director of Public Instruction has been drawn to this matter and what steps the Government have taken to improve the education and training of our young men.

"In paragraphs 20 and 23 of the report the Commission have drawn attention to the cases in which their recommendations have not been accepted by the Government. This is a matter for serious consideration. Certain conventions have been established by the Government of India in regard to the All-India Public Services Commission. This Government ought to observe those conventions and not defeat the object for which the Services Commission was established. I may here draw attention to the observations of the Simon Commission in their report relating to this matter. They say: 'Certain conventions have been established which add to the weight of the Commission's findings. We are informed that in no single instance has the Government of India acted contrary to the advice of the Commission in making appointments. It may, however, require the Commission to select candidates with particular qualifications or from a particular community. In regard to the Commission's quasi-judicial consideration of the appeals, it has been established that though the advice of the Commission is not formally binding on the Government, it shall be accepted save in exceptional circumstances.' They say further: 'The provincial Governments should undertake to observe the same conventions in relation to

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the findings of the Commission as are observed by the Government of India in its dealings with the Central Commission.' I respectfully draw the attention of the hon. the Revenue Member to these observations made by the Simon Commission in their report."

* Mr. Sami Venkatachalam Chetti:—" Sir, it is always very difficult to do better than my friend Mr. Shetty in the correct presentation of the case. He has expressed in as accurate a manner as possible all the grievances of the applicants who approach the Public Services Commission for appointment year after year. The grievances of these people were placed before this House last year also when the report of the Commission was taken into consideration. The hon. the Revenue Member, however, did not then consider the grievances to be of such a nature as to need redress except perhaps in the direction of reducing the medical fees from Rs. 10 to Rs. 7-8-0. If the report is presented to this Council only as a matter of formality and not with a view to get the wrongs righted by bringing them before the notice of the Government, it seems to me more than useless that this Council should waste its time over its consideration. The grievances which these poor unemployed applicants suffer from are really very terrible. In order to secure an appointment carrying a salary of Rs. 35 or Rs. 40, apart from the amount their parents spend on their education which by itself is very large, they have to pay very heavy travelling charges, medical certificate charges and registration charges. These payments only benefit the treasury and not themselves in 99 cases out of hundred. Sir, is it impossible for the Government to devise a method by which this kind of unnecessary expenditure by the applicants could be avoided? I do not think it is beyond the ingenuity of a Government to devise some scheme by which this hardship can be easily removed. I hope the hon. the Revenue Member will consider this very seriously and make such arrangements as are necessary to remove the cause of these grievances.

" Sir, with regard to the communities from which persons are recruited, I am afraid, the very introduction of communal representation has given rise to more complaints than were heard of before the communal representation question was seriously taken up by the Government. It no doubt relieved the majority communities from the grievances that the claims of their young men were completely ignored. But the divisions which the Government recognized are very broad divisions such as Brahmans, non-Brahmans, Christians and Depressed Classes. It is easily forgotten that amongst non-Brahmans themselves there are various subdivisions and the members of the smaller subdivisions are completely ignored both by the Brahman community and by the non-Brahman major subdivisions. (Rao Bahadur C. Natesa Mudaliyar was heard to say 'No.'). My hon. Friend Dr. Natesa Mudaliar cannot feel the pinch of it because he belongs to a very very large majority community."

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Rao Bahadur C. NATESA MUDALIYAR:—" I am always fighting for the minorities among the Hindus and not for any majority community."

Mr. SAMI VENKATACHALAM CHETTI:—" Well, Sir, if his efforts have been as successful as he would ask us to believe I would have been the first to congratulate him on his achievement. But now I only sympathize with him that in spite of his Herculean efforts things are not moving in the right direction. Apart from that, Sir, it is clear that several members of minority communities feel that their claims are not properly recognized. If you only look into the figures of the minority communities from which recruitment is made, you will be easily convinced that their grievances are real. I do not want to mention the name of any one particular minority community as the one that has suffered by neglect or by indifference of the Public Services Commission, because I am not at all enamoured of young men of my community entering Government service. Still, it is desirable that those who qualify themselves for such service ought not to be rejected on the ground that they belong to a community which does not either make noise or pull the strings from behind. I would be satisfied if the Government would only bring to the notice of the Public Service Commission the fact that the minority communities feel that their claims are not adequately considered.

" Now, Sir, I want to submit that the age-limit is a serious handicap to many persons. Our educated young men present their applications for appointment when they are below the age of 25. In some rare cases they get selected before they pass the age-limit and, after being selected, while they are every day waiting to see the postman delivering a letter from the Public Services Commission asking them to appear before them to take up this appointment or that appointment, they are tantalized by the fear that a few months' delay would shut them out altogether from entering the service. It is desirable, in view of this tragic circumstance, to lay down that once an application is registered and a person is found eligible for being selected to Government service, he must be considered to be suitable for appointment whenever a vacancy might arise for him. Otherwise you will be dashing to the ground the hopes of so many of our educated young men qualified to enter Government service. On account of the fact that no vacancies arise at particular periods, are they to suffer all their life? It is very desirable that the Government should look into this matter. I do not think they will be doing a wrong thing or relaxing the rules very much if they agree to recognize the fact that a person declared competent to join service should be allowed to do so whenever vacancies arise.

" My hon. Friend Dr. Natesa Mudaliyar who is busy reminding his friends the names of persons of my community who are in the Government service he must remember that his 'Herculean efforts' are not responsible for the fact that those estimable gentlemen find a place in the list."

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Rao Bahadur C. NATESA MUDALIYAR :—" Our efforts were responsible for bringing most of them into the list."

Mr. SAMI VENKATACHALAM CHETTI :—" I will say that they came into the service by their own efforts and not by the efforts of great men like my hon. Friend Dr. Natesa Mudaliyar."

Rao Bahadur C. NATESA MUDALIYAR :—" They have themselves greatness. We helped them to be prominent."

Mr. SAMI VENKATACHALAM CHETTI :—" I am willing to thank my friend for the supposed assistance he gave. I do not want to go on bandying words with him."

" With these submissions, I request the hon. the Revenue Member not to treat this matter lightly which has been discussed on the floor of this House year after year but to take into consideration the poignancy, the grief and the misery that is caused to these young men who knock at the doors of the Public Services Commission but who are rejected and sent away, after they have wasted a lot of money for coming to the town, thus completely shutting down their chances of getting any appointment because they have passed their age limit." 12-15 p.m.

* Mr. M. S. SRESHTA :—" I had no intention of intervening in this debate because I had not received a copy of this report in time and I was taken by surprise when I received it this morning, and also when I found that this matter was under discussion.

" I wish to support very warmly the suggestion of Mr. Shetty that the production of medical certificates from all candidates should not be insisted upon. As a matter of fact a very small percentage of candidates is selected. That being so it seems to me that it is a waste of labour and waste of money that a candidate should be asked to produce medical certificate even before he becomes successful in the examination and that he should be afterwards told that he has been rejected. I fail to see why the medical fees should not be recovered only from those candidates who have been selected and if only those who have been selected are examined by the Medical department. The present system is a system of wastage of effort, of money and labour.

" Another point that I wish to impress is that the results of the examination are not communicated as quickly as possible. It strikes me that special efforts should be made to inform all the candidates as quickly as possible what the results of their ordeal have been. It has been already pointed out that the ordeal is very severe and that a large number of candidates feel considerable anxiety about the result of the examination. It is therefore desirable that they should be relieved of their anxiety as quickly as possible.

" Another point that I wish to impress upon is that many people who have been selected are not appointed for a very long time. They do not know when they will get appointments and often the guillotine of age bar shuts them out from employment. Some relief should be given to all those candidates who have been selected but who owing to

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the present need for retrenchment and owing to the abnormal economic situation in the country cannot be employed at once. I say some method must be devised by which these persons are given employment by raising their age limit.

"The third point is that in my opinion almost every possible appointment should be brought under the Madras Services Commission. I suppose that candidates for a large number of appointments carrying a salary of Rs. 30 and upwards are not selected by the Madras Services Commission. To give one instance, the appointments of clerks in Settlement Offices in certain districts are made without any reference to the Madras Services Commission. At least that is the information that I have received. Would it not be possible to make a rule that appointments to these offices should be given to persons who have been selected by the Madras Services Commission in preference to others? I would request the hon. the Revenue Member to be good enough to prepare a statement showing all appointments carrying a salary of Rs. 30 which are at present not filled in by the Madras Services Commission and giving the reason as to why in each of these cases reference is not made to the Madras Services Commission.

"It has been pointed out that candidates are called upon for interviews from distant places. I know that in several cases some deserving candidates are unable to come for these interviews. In one case I myself financed money for the candidate to go to Madras for interview and I am glad to say that that candidate met with success. I do not know why it is not possible to devise some simpler method of holding interviews. In small countries like Ceylon and other colonies it is possible for all candidates to come to one centre. But in the large Presidency of Madras it is difficult for candidates from distant districts to come to Madras. I do not understand why this is done. Is it to swell the revenue of the railway company? I should suggest that the Madras Services Commission may be asked to travel round the Presidency and to interview persons if they are otherwise qualified.

"There are many other points which require very careful consideration, but I am afraid I have not been able to study the matter because the report reached my hands only this morning."

* Mr. R. MADANAGOPAL NAYUDU:—"I had no intention of intervening in this debate but for the fact that the hon. Member for the City of Madras, Mr. Sami Venkatachalam Chetti, complained about the lack of representation of the members of his community in the Public Services of this Province. Unfortunately a superior attitude seems to have been assumed by my hon. Friend, Mr. Sami Venkatachalam Chetti, when my hon. Friend Mr. Natesa Mudaliyar said that some of the members of Mr. Chetti's community who occupied high appointments owed their success to the non-Brahman movement. I may mention that, though not all, at least some of the high appointments such as the High Court Judgeship which the members of his community got was largely due to the non-Brahman movement, though not

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solely due to that. I do not think he is going to deny that. Though the number of appointments which the members of his community enjoy in Government service is small, I may say that the members of his community hold very high appointments in other services. Therefore to say that members of other communities are not mindful of the interests of his community is not quite correct. It has not been the aim or object of the members of the majority communities to see that his community is not represented well in Government service. If his community is not so well represented in Government service as other communities, it is probably due to the fact that the Public Services Commission did not think that their claims deserved so much consideration as others, or probably due to the defects of his own community. Therefore, it is not quite right to lay the entire blame on the Public Services Commission. As far as my community is concerned, I am not going to lay the blame on the Public Services Commission. I certainly feel that the members of my community are not properly represented but on that account I do not think that the blame should be laid at the doors of the Public Services Commission.

" So far as the work of the Public Services Commission is concerned, they are working to the best of their ability, and we wish they worked under better conditions. We know that the insistence of medical certificate on the candidates is causing very great hardship to the candidates. I understand that recently the charge for a medical certificate has been increased from Rs. 7½ to Rs. 16. That is a very great hardship. The applicants spend a lot of money before their examination and practically very few applicants are selected for appointments. If my information is correct, a large number of people whose names are found on the eligible list for appointment in public services become overaged and are on that ground declared unfit for Government service. Even when previous lists are not exhausted, further examinations are held very often and we do not see the necessity for this. In other services the production of a medical certificate is insisted upon only when the appointments to which the selected candidates are appointed are likely to become permanent. I feel that some such change is absolutely necessary from the point of view of saving a number of poor applicants. I therefore feel that definite attempts should be made in this direction."

* Sriman M. G. PATNAIK Mahasayo:—" Sir, I wish to say a few words with regard to my own community in the districts of Ganjam, Ganjam Agency and Vizagapatam. Before the Public Services Commission was appointed the Government were pleased to pass a number of Government Orders recognizing the claims of or granting privileges to the Oriya community. These Government Orders are still there and they are not heeded to by the Public Services Commission. I brought this to the notice of the Government by means of interpellations and Government simply stated that all those Government Orders were under consideration. They have not done anything more. That is a great grievance to us. So far as these two districts are concerned, on the

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question of language, they require special treatment. Government do not seem to realize the force of this contention. Anybody who goes there to serve must know the Oriya language. Without knowing the Oriya language he cannot be appointed and there is no good of appointing a Malayalee in the Ganjam Agency or the Ganjam district. Therefore, I disagree with my hon. Friend, Mr. Sreshta, when he says that the Collectors should not appoint these persons without personal interview. The Public Services Commission must know whether those people who are appointed are suitable for those appointments in the districts in which they have to serve. There is no use of appointing anybody or everybody.

"The second point is that the aboriginal tribes, i.e., the inhabitants of these districts are rather backward. They are backward and can't pass the same test as others; it would be rather difficult for them to compete with other people. They will not be able to get into public service at all. In such a case I think it is but right that some special concession should be shown to them so that they may come up to the level of other people. Therefore, it is absolutely necessary that so far as the Agency tracts are concerned, the Government should provide for some special concession for the people of those tracts.

12-30 p.m. "Under the present arrangement the Government waste a lot of money in first posting Sub-Assistant Surgeons to the Agency tracts and then inducing them to learn the Oriya language by offering them a reward of Rs. 200 or so. On the other hand, if they post only those officers who know the Oriya language, they need not incur this extra expenditure. I do not mean the Government should post only Oriyas; it is enough if they post Oriya knowing persons. There is also another difficulty. The Officer who is first posted to the Agency tracts begins to learn the Oriya language after taking up his post in the Agency. It takes him about two years to become conversant with the language. But by that time, he has served his term of agency service and he is transferred elsewhere and all his knowledge of Oriya is of no use. I brought this matter to the notice of the hon. Mr. Muniswami Nayudu when he was Chief Minister, but he gave me some reply which was most unsatisfactory. (Interruption.) I do not say that you should appoint Oriyas alone; you may appoint Oriya knowing men. If the Government cannot see the silliness and the absurdity of the present arrangement, I cannot help.

"In this connexion, I must thank the hon. Mr. Kumaraswami Reddiyar who had a Government Order passed in 1931 to the effect that a certain proportion of posts in the Excise Department should be given to the Oriyas. If more such Government Orders are passed dealing with all the departments under the Government, the position will be much improved. The communal Government Order does not mention the Oriyas at all as a community entitled to a certain proportion of the appointments. The Public Services Commission does not hold any examination in Ganjam for the sake of the Oriyas of Ganjam and the people of the Agency.

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The Commissioners go up only as far as Waltair; they do not go further north; they probably think that the climate is bad and that the place need not be visited."

* Mr. M. DEVADASAN:—" Sir, I feel constrained to say a few words with regard to the difficulties of the candidates appearing for the examinations held by the Services Commission. I cannot say that the questions set at the examinations are difficult, but they are wayward and the answers are still more wayward. These questions are in most cases not a suitable test to find out whether a candidate will be an efficient Government servant or not.

" Moreover, the examinations cost a good deal not only to the Government but also to the poor candidates who had already spent considerable sums of money in having undergone their courses in schools and colleges. They have to come very often all the way to Madras from distant parts of the Presidency. Many of them hang upon the Members of the Council and the officers of the Government to get appointments under Government. We have to do something to allay the apprehensions of candidates who have not been able to get any appointment although they passed the Commission's examination a long time ago. For these and several other reasons, I personally think that the old system of recruitment to the services is a much better one than the present system. I am of the same opinion as my hon. Friend Mr. Natesa Mudaliyar who thinks that the Commission ought to go. Under the present system, the candidates wait for long periods in anxious expectation of getting Government appointments and sometimes they have to end their lives in misery and vain hope. They go from place to place in search of appointments and when they are disappointed everywhere, they join the more turbulent elements of the society—I hope hon. Members will pardon me for saying this—and bring trouble not only to themselves but also to others. Disappointment and discontent lead them to adopt violent methods, resulting in danger to State and society.

" With regard to the depressed classes, I have to thank Mr. Shetty for the clear and clever exposition of their case. At present the classification of the depressed classes is too vague, wide and dangerous for them and the classes included in that category are rather too many. It includes not only the untouchables but hundreds of other castes also who claim to be suffering under the same disabilities as the depressed classes. Attempts have been made to include other backward classes also in the category of the depressed classes. For instance, my hon. Friend Mr. Ganala Ramamurti brought forward a resolution to include the Viswa-Brahmans in the depressed classes and fortunately it was not taken up for consideration in this session. At present the classification includes not merely the depressed classes but also some other classes because it reads 'depressed classes and others.' I shall give one or two examples to show how this inclusion of 'others' in the category of depressed classes has been prejudicial to the interests of the depressed classes. Some time ago the Government wanted to select a candidate for the post

of a Deputy Tahsildar from the depressed classes. There was no Hindu depressed class candidate available then but a Christian convert belonging to the depressed class applied for the post. Though the latter was fully qualified for the post he was not selected, but a Coorgee was selected although he was not a member of the depressed classes. Recently an Honours Graduate who is a Christian convert from the depressed classes applied for the post of a Deputy Collector. His application was rejected on the ground that he was not a member of the depressed classes. But a Marava gentleman was chosen for this appointment. On a subsequent occasion he applied for a similar post stating that his previous application had been rejected on the ground that he was a Christian and he requested the Government to consider his present application favourably basing his claim at least as a Christian. Even on this occasion his application was rejected on the ground that the Government had already refused to accept his claim to belong to the depressed classes. The *Marava* gentleman chosen for the post of a Deputy Collector, did not belong to the class of untouchables. All this has been possible because the word ' others ' also occurs along with the words ' Depressed classes.' A deputation of which I had the honour to be a member waited on His Excellency the Governor and represented to him that the word ' others ' should be deleted. His Excellency promised consideration of the request but nothing has been done so far. I request the hon. the Revenue Member to delete the word ' others ' and to treat the claims of the depressed classes entirely as a separate matter without mixing them with the claims of other backward classes. The best thing is to reserve a certain number of posts on a population basis for the depressed classes. If a Hindu depressed class candidate is available, he may be appointed to a vacant reserved post; otherwise a candidate from the Christian Depressed Classes whose social and economic position is no better than that of the Hindu Depressed Classes, may be appointed. Although I am a Christian I want to expose the cause of the depressed classes as a whole whether they be Hindus or Christians, because they are in a most unfortunate position in the matter of appointment under Government. So far as Christians of the Depressed Classes are concerned, I ask for an equitable treatment, being extended to them. I am sure, the hon. the Revenue Member will be pleased to consider the few points that I have placed before the House.''

Diwan Bahadur M. GOPALASWAMI MUDALIYAR: '' Sir, I just want to say a few words so far as the position of the Ceded Districts in the public services of this Presidency is concerned. At the present stage of the evolution of our public service the question whether a Services Commission is necessary or not does not arise. In all advanced countries a need has been felt for Services Commission and personally I think that it is highly desirable that there should be a Services Commission in our Province. So far as our Services Commission are concerned they are acting only under the instructions given to them. What we have to do is to bring to the notice of the hon. the Revenue Member that those instructions have to be revised in order that certain difficulties that are being felt may be

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removed. Those difficulties have been mentioned categorically on the floor of the House. Firstly, candidates ought not to be asked to produce medical certificates before they are actually selected. Secondly, candidates who have been selected and appointed as temporary clerks have to make room for permanent clerks. By the time another opportunity occurs for the candidate he becomes age-barred and on that account he is declared unfit to enter Government service any further. That is a grievance which calls for remedy. Thirdly, in selecting candidates from certain backward tracts such as the Ceded Districts, it is desirable that the selection should be confined to candidates belonging to the Ceded Districts. Posts in the Ceded Districts should be filled up by candidates belonging to the Ceded Districts. It was with this idea that I put a question to the hon. the Revenue Member whether it is not desirable that so far as the posts in the Ceded Districts are concerned, selection by competitive examination or otherwise should be confined to candidates from the Ceded Districts alone and should not be thrown open to candidates from all parts of the Presidency.

"Backward as we are, intellectually inferior as we are—of course it is rather humiliating to confess it, but anyhow we must face facts—backward as we are, when we are pitted against the Andhras of the north, or against the Tamils of the South or against the Malayalees of Kerala, we are bound to go to the wall.

"We are not able to compete with them, and we shall not be able to compete with them successfully. That is why several candidates from the Ceded Districts have not been selected. The candidates feel these grievances. We, the representatives of our districts for the time being, have been approached by batches of these people and we have been asked to represent these grievances to the Government. Therefore I take this opportunity of commending to the hon. the Revenue Member the necessity to issue definite instructions in order to alleviate these various grievances, which have been referred to by me apart from the other grievances referred to by various other speakers. 12-45 p.m.

"As regards the question of the selection of candidates community-war, the Madras Services Commission act under the instructions given to them by the Government. If there are any grievances, it is our duty to bring them to the notice of the Government. We therefore take this opportunity of placing before the Government these grievances. If the hon. the Revenue Member will be pleased to issue definite instructions, it will go a long way to alleviate the distress which is now being felt by a large number of applicants."

Mr. K. A. Nachiyappa Gounder:—"Sir I should like to say a few words on the report of the Services Commission. It was thought that the creation of the Services Commission would go a long way to remedy the difficulties felt in the matter of appointments. From the working of the Commission for the past few years, it has been felt that no appreciable advantage has been derived therefrom. I should say that this is due to want of necessary and proper instructions from the Government to the

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Commission. As has been urged by the hon. the Member from Bellary, I hope that the hon. the Revenue Member will consider the matter and issue necessary and proper instructions to the Commission, so that the difficulties that are placed in the way of the applicants appearing and being selected to the posts, may be minimized and the candidates are allowed to have an easy way.

"My hon. Friend from South Kanara has furnished figures with regard to the number of persons called for interviews and the number of persons finally selected. A very large amount would have been wasted over interviews from the pockets of candidates who compete for the appointments. It is a well known fact that everybody is put to a lot of financial difficulties in these days and it is not advisable to put these poor persons to lot of expenditure in the matter of their coming to the interviews. I would like to suggest that a small number of persons from among the large number of applicants should be selected for the interviews, that the number of persons who are interviewed is minimized so that other candidates would not be put to the necessity of spending unnecessarily. As has been suggested by various speakers before me, the Commission should go round for having interviews in various centres. As far as my knowledge with regard to these interviews goes, I may say that applicants are put one or two questions and the interviews are disposed of in one or two minutes. I wonder what benefit would be gained by having these interviews. I hear that such questions as 'where you come from' 'to what caste you belong' are put to the candidates. I do not know how the Commissioners are able to get any impression by putting such questions to the candidates. I do not know whether much good will result from these interviews and whether proper persons would be selected.

"I should like to make a few remarks with regard to medical certificates. A good lot of money is being wasted by the applicants being asked to produce medical certificates before they sit for the examination. Even those who come out successful at these examinations are not able to get appointments. So, I would suggest that applicants might be asked to produce medical certificates after they are selected.

"I would emphasize the point that was urged by my hon. Friend, from Madras, Mr. Natesa Mudaliyar. Besides selections being made according to communities, I would ask that districtwar selections also should be made. By selections being made according to communities, candidates from some districts who can get some recommendations in those districts may get through, but candidates from other districts are left uncared for. Therefore I would urge that selections should be made districtwar also."

1 p.m. Mrs. K. ALAMELUMANGATHAYARAMMA spoke in Tamil and the following is the English rendering of her speech:—

"Mr. President, Sir, some of my brother Members spoke before me about the work of the Services Commission. Some of those might be surprised to see a woman rising to speak on the subject. The time for candidates of my sex appearing before the Commission for appointments

and taking part in competitive examinations has not yet come. But still as one who knows the difficulties of the educated youths who had to pass through the eye of the Commission to secure any appointments under the Government, I have to say a few words. In our country many of the families educate their male children in higher education with a view to equip them for any Government appointments. But such educated men after their arduous and costly educational career find it very difficult to secure even petty jobs under the Government in these days. The Commission is functioning to select suitable candidates for the appointment from among the applicants whether they belong to the depressed classes or indigent poor or of the higher classes. I do not want to criticize the idea of such a Commission. But my only wish is to point out that the chances of boys belonging to the indigent poor and the depressed classes being remote and next to nothing, only go to aggravate their sufferings further after spending a lot of money on education which they could ill afford. The history of the educational career of some of these poor boys is very pitiable. Some parents even go to the extent of spending not only their small savings on the education of their children but also go so far as to even make themselves debtors. In such cases, the failure of the candidate of the much coveted appointment, however ordinary it might be, was a blow which could not be described. Among the candidates who appear before the Commission are no doubt many poor non-Brahmins and members of the depressed classes. However poor they might be they somehow manage to scrape the prescribed entrance fee of Rs. 5 and a medical fee of Rs. 7–8–0. Then only the applications are accepted. But it is a pity that even after passing through such competitive tests, they are not able to get the appointments and they have to wait for the loaf in accordance with the rank. Even if they are fortunate enough to get a job it is nothing more than a clerk's post fetching a paltry sum of Rs. 35 or Rs. 40 per mensem. With that small amount he has to maintain his family and his parents who pinned their faith on his future by spending even above their means. In these days of financial depression it is very difficult for the educated people to secure any appointment. Their expectations of getting suitable appointments according to their educational qualifications are shattered on the stone of practical difficulties and the various obstacles on the way to the goal. The cases of many of the parents who contracted debts to educate their children and face disappointment later are pitiable. It is also a hard fact that not even ten per cent of the candidates come out of the competitive examination held by the Commission successful. The only reason for such a colossal failure seems to be their lack of general knowledge. The so-called educated people who appear before the Commission are lacking in general knowledge not to speak of anything else, and this could very well be seen from the report of the Commission for the year 1931–32. I read the following extracts from the report of the Chief Examiner on the examination in 'English composition':

"*Hook-worm*—(1) is the living thing which is used to catch fish; (2) a person like Pandit who always studies (perhaps the student meant a 'book-worm'); (3) these are found in our daily walks of life and enter

into our body through the down part of our feet and in no time we get hook-worm disease and people who are aware of this use Fort wine to fight the hook-worm; (4) are germs that generally create cholera everywhere except in Switzerland, Norway and Greenland; (5) is an insect sparkless when flying; and (6) is a fly found in Madras Presidency (Laughter.)

" About *Ostrich*, we find still more funny interpretations: (1) a big bird which will inhale and exhale fire; (2) is the female of the camel (Laughter); (3) is the kind of fish found largely in the coasts of Japan; (4) is the primitive hen of the Africans and is even now used as domestic animal; (5) is a desert bird that lives on stones and fires; it can see even when it is blind; and (6) is an animal found in India only. (Renewed laughter.)

" *Zebra*—(1) is an animal, lives in the sea; (2) a harmful snake found in many parts of India (laughter); (3) water animal found in river Nile; (4) is an animal found in frigid zone; (5) is a four-legged animal living in the deep sea; (6) is the water horse mentioned in the Puranas; (7) is an animal found in ice places like the Himalayas; and (8) zebras are superior classes of asses. (Renewed laughter.)

" *Giraffe*—(1) is a kind of present during Christmas season exchanged among European population (loud laughter); (2) is the essence of anything: we can take giraffe in fruit; (3) an animal that resembles a monkey and a man; (4) the water horse of Africa; (5) a water animal found in the interior part of Atlantic Ocean; (6) an animal that resembles a kangaroo but has no horns and no cavity in the stomach—also found in Arica; (7) is a sea animal found in ice land from 20 to 25 feet long; (8) giraffe like snipe and Cochineal are different kind of sea fish; and (9) are the original birds of America.

" *Kangaroo*—(1) is a curious bird; (2) the small huts in which Negroes live are called kangaroon; (3) an animal living in water, can be seen in the Chilka lake in Ganjam (laughter); (4) is found in forests, is even tamed by circus people; when quarrelling they first start with the tails; (5) is a kind of bird in the old world. It lives in high mountains and its song is melodious to hear (laughter); (6) is the only animal that lays its eggs like a bird; and (7) is the name of forest people of Australia.

" In the competitive examination even graduates, M.A.'s, B.A.'s and S.S.L.C. holders also compete. Among them there seem to be many who know neither Zoology nor Biology. Many of them are utterly lacking in the very rudiments of general knowledge. It is a pity that the present system of education is the cause for such a state of affairs. These things clearly show that the text books and other books prescribed should be such that could tend not only to improve their general knowledge but also make them fit to handle any subject properly. I wish the members of the Text-book Committee and the Educational authorities would bestow their attention in these matters.

" One word more and I am done. The importance of reducing the entrance fee of Rs. 7–8–0 should not be overlooked in these days of difficulty. I would once again impress on the authorities the necessity of

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such a step. It would also go a great way to alleviate the trouble of poor candidates if the medical certificates got from Assistant Surgeons and Registered Medical Practitioners. Some of the previous speakers also impressed on the House the desirability of such things.

"In the matter of holding competitive examinations under the ægis of the Commission, I wish to point out, if two centres, one for Andhradesa and the other for Tamil Nadu, were arranged, it would help the candidates to a great extent and avoid unnecessary expenditure for them to come to Madras all the way from a remote corner of the Presidency."

* The hon. Sir ARCHIBALD CAMPBELL:—"Mr. President, Sir, some hon. Members have criticized the procedure of the Madras Services Commission in holding interviews for certain appointments. I would point out to hon. Members of this House that under the Madras Services Commission Act, the Commission must either hold a competitive examination, or if they wish to select otherwise, they have to consider all the applications received and interview such candidates as they consider fit. I will invite the attention of the Commission to the suggestions of my hon. Friends, and possibly they may be able to reduce the number of applicants summoned for interviews or to hold preliminary interviews in the mufassal area, so as to lessen the trouble and expense to which unsuccessful candidates are put to now. The competitive examination for the recruitment of clerks is now held in several mufassal centres. My friend, Mr. Patnaik pointed out that there is no centre for this examination in the Ganjam district, so that the candidates from that district have to go to Waltair. I will invite the attention of the Commission to this complaint.

"In this connexion I may perhaps deal at once with the question of the failure to employ Oriya candidates in the Ganjam and Vizagapatam Agencies. If Oriya candidates come forward and obtain selection to the Madras Ministerial service, they would in the ordinary course be preferred for employment in the Agencies. I took up this matter and the Agents informed us that they were aware of 122 Oriyas qualified for appointment; on a reference to the Commission we ascertained that only 18 actually appeared for the examination. I am not aware why only 18 appeared for the examination. I have suggested to the Agents that when they know of qualified Oriya candidates they may invite their attention to the Commissioner's advertisements. I hope that we may in future have a larger number of Oriya-knowing candidates. We cannot employ more Oriyas if they will not apply to the Commission for selection.

"Another criticism levelled at the present rules relates to the production of medical certificates before examination. This was also referred to last year; we examined the matter carefully and we have issued orders to the effect that medical certificates need be produced along with applications only in cases, where physical measurements are prescribed by the statutory rule or are required by appointing authorities and for admission to competitive examination for posts in the Madras Ministerial Service. It is only in those two cases that medical certificates must be produced along with the application.

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into our body through the down part of our feet and in no time we get hook-worm disease and people who are aware of this use Fort wine to fight the hook-worm; (4) are germs that generally create cholera everywhere except in Switzerland, Norway and Greenland; (5) is an insect sparkless when flying; and (6) is a fly found in Madras Presidency (Laughter.)

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from 2 to 12; the number of Muhammadans has risen from 317 to 420, Non-Asiatics and Anglo-Indians from 452 to 525, and Indian Christians from 465 to 667. It is very remarkable in the case of non-gazetted officers on Rs. 35 and upwards but below Rs. 100 that although there is an increase of 2,352, the number of Brahmans has fallen by 172; but there has been considerable increase in the number of Non-Brahmans and other communities.

" It has been suggested by some hon. Members that the communal rotation rule has been treated in very broad terms and is not sufficiently detailed. We cannot however undertake to split up the different communities of people into subdivisions, for once we start doing so there will be no end to the number of subdivisions which will be demanded. But on the whole, I think it must be admitted that the results have been satisfactory. It rests with the various castes or subdivisions to qualify themselves for Government service and no doubt they will then get their share of appointments. 1-15 p.m.

" My hon. Friend Mr. Sreshta stated that he had only just now seen a copy of the report, as he did not get one before. I am extremely sorry that his copy has gone astray. I may mention, Sir, that 150 copies were sent to the Secretary of Legislative Council on the 3rd August and were distributed by him the following day to the Members of the Council and the fact that it was placed on the table was notified in the agenda of the 4th August.

" A suggestion has been made by an hon. Member on this side that it causes great hardship to a candidate who gets his name included in the list of candidates selected by the Madras Services Commission, and then after a time finds that he is not allowed the opportunity of getting the post for which he is declared eligible, because he ceases to be qualified for the appointment on account of his age. Well, Sir, to extend the right of appointment to a candidate who cannot now get an appointment, must necessarily involve some amount of hardship to some other candidate. It must be remembered there are only a limited number of appointments; that fact has to be borne in mind. We will however give this matter further consideration in connexion with the revision of the rules, which is now under consideration. And I will consider whether we can fix the age or allow the Commission to fix the age with reference to a date near the date of selection and whether in that case the list of selected candidates can remain in force for a definite period, say one year, so that a candidate in the list may be eligible for appointment during that period.

" Another hon. Member stated that persons occupying temporary posts were turned out of these posts and did not have another chance of having another appointment when they became too old for selection. That I am afraid, Sir, is not an accurate statement. For, once a man has acted in a post in a Government service he is regarded as a member of that service although his service may be acting and interrupted by periods of want of employment. I think another hon. Member referred to a

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particular case of a man who was on probation for the full period prescribed in the rules and has later been declared to be too old for employment. I find on enquiry that the hon. the Minister in charge of the department concerned has just received a petition from that person, and I am authorized to say that he will take it into his consideration.

"I think I have dealt with most of the points of detail that were raised. A few hon. Members have suggested the abolition of the Services Commission and restoration of the old system by which appointments in Government service were made by the Ministers or on their recommendation. In every country where the system of Government is similar to that about to be adopted in this country, it has always been found necessary to dissociate appointments from political influences and to remove them as far as possible from the sphere of those responsible for legislation. Experience has shown that otherwise there is considerable danger of instability and inefficiency in Government service. In one country at least it was at one time the custom for the personnel of the services to change entirely with the change of Government. That has been found to be a very great evil from the point of view of the administration. Services constitute the agency or instrument placed in the hands of a Minister. They have to carry out his policy. They ought to be as efficient as possible. Whatever party happens to be in power, the Ministers should feel and realize that they have an efficient instrument ready to carry out their bidding and to put their policy into operation. The way in which this dissociation of the services from undesirable political influences has been carried out elsewhere has been by the constitution of such a Commission as we have in Madras. You are aware that we have made this Commission as independent of any political influences as possible. The Madras Services Commission Act has been recently amended so as to place the appointment of the Commissioners in the hands of the Governor himself so that it may be independent of the Government. And I am quite sure that as time goes on, hon. Members will realize that this Commission is doing most useful and important work. I know the Commissioners are whole-hearted in their zeal for carrying out their duties and realize the great responsibility placed upon them. I am quite sure that hon. Members will realize the necessity for the constitution of this Commission and the very commendable way in which they have discharged their duties.

"The motion that the report of the Madras Services Commission for the year 1931–32 submitted with reference to section 20 of the Madras Services Commission Act, 1929 (Madras Act XI of 1929) be taken into consideration was then put and carried."

The hon. Sir MAHOMED USMAN:—"Mr. President, Sir, with your permission, may I propose that items Nos. IX, X and XI on the agenda may be taken into consideration before the other items are taken up? They are all non-controversial Bills and they do not take much time."

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—"I second it."

The motion was put and carried.

VIII.—A BILL TO AMEND THE MADRAS GAMING ACT, 1930 (BILL No. 21 OF 1931).

* The hon. Sir MAHOMED USMAN:—" Mr. President, Sir, I beg to present the report [a] of the Select Committee on the Bill to amend the Madras Gaming Act, 1930, for certain purposes (Bill No. 21 of 1931) and move that the Bill as approved by the Select Committee be taken into consideration. This is a very small Bill, Sir, which has passed through the Select Committee stage and practically consists of only one section which says ' Any police officer having power to issue a warrant under sub-section (1) may, instead of doing so, himself exercise all or any of the powers exercisable under such warrant '."

Clause 1.

Clause 1, with the alteration of ' 1932 ' into ' 1933 ' was put and carried.

Clause 2.

Clause 2, with the omission of the words and brackets ' (hereinafter referred to as the said Act) ' was put and carried.

Preamble.

The Preamble with the change of the word ' purposes ' into ' purpose ' was put and carried.

The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur:—" I now move, Sir—

' *that the Bill, as amended, be passed into law* '."

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" I second it."

The motion was put and carried and the Bill was passed into law.

IX.—A BILL FURTHER TO AMEND THE MADRAS CITY POLICE ACT, 1888 (BILL No. 22 OF 1931).

* The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur:— " Mr. President, Sir, I beg to present the report [a] of the Select Committee on the Bill further to amend the Madras City Police Act, 1888, for certain purposes (Bill No. 22 of 1931) and move that the Bill as approved by the Select Committee be taken into consideration. This is the same as the previous Bill. This refers to the City of Madras, whereas the other one refers to the mufassal." 2-30 p.m.

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—" I second it."

The motion was put and carried.

Clause 1.

Clause 1, with the alteration of ' 1932 ' into ' 1933 ' was put and carried.

Clause 2.

Clause 2, with the omission of the words and brackets ' (hereinafter referred to as the said Act) ' was put and carried.

[a] Printed as Appendix III on pages 381–383 infra.

Preamble.

The Preamble with the change of the word 'purposes' into 'purpose' was put and carried.

The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur:—" Mr. President, Sir, I move—

'*that the Bill, as amended, be passed into law*'."

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—" I second it."

The motion was put and carried and the Bill was passed into law.

After Lunch (2-30 p.m.)

X.—A BILL FURTHER TO AMEND THE MADRAS CITY POLICE ACT, 1888 (BILL No. 2 OF 1932).

* The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur:—" I present the report [a] of the Select Committee on the Bill further to amend the Madras City Police Act, 1888, for a certain purpose (Bill No. 2 of 1932) and move that the Bill as approved by the Select Committee be taken into consideration. In doing so I should just like to say a few words. The Commissioner of Police considers it very desirable that the necessary legislation should be passed as soon as possible. When the Bill was first introduced it contained the following provision:

'Whosoever knowingly gives or causes to be given a false alarm of fire to any fire brigade in the City of Madras or to any officer or fireman thereof whether by means of a street fire-alarm, statement, message or otherwise, shall be liable on conviction to imprisonment which may extend to three months or to fine which may extend to one hundred rupees or to both.'

" This is what exists in the Bombay Act. When the Bill came before the Select Committee they thought that we must take out the imprisonment. I agreed to the Select Committee's decision. The provision now runs thus:

'Whoever gives or causes to be given to any fire brigade in the City of Madras or to any officer or fireman thereof, whether by means of a street fire-alarm, statement, message or otherwise, any alarm of fire which he knows to be false, shall be liable on conviction to fine which may extend to one hundred rupees.'

" The Select Committee considered this question very carefully and I think all the members have signed except two gentlemen who have written a note of dissent. The Select Committee report says: 'We consider that the mischief it seeks to penalize is serious enough to justify legislation. The present measure is drafted on the same lines as section 5 of the Bombay Police Amendment Act II of 1917. We have made some verbal amendments so as to make it clear that it is only when a person gives a false alarm of fire with knowledge of its falsehood that he will be liable under this enactment. We are not in favour of awarding imprisonment for an offence under this Act and have accordingly omitted the punishment.'

[a] Printed as Appendix IV on pages 384–385 infra.

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"In view of the fact that six cases have occurred in Madras where false alarms had been given it is necessary to pass this Bill. It is in the interests of the public that this legislation has been brought before the House. Supposing there is a false alarm of fire, the fire brigade in responding to it may ignore the real case if there is any."

The hon. DIWAN BAHADUR Sir M. KRISHNAN NAYAR:—"I second it."

Mr. ABDUL HAMEED KHAN:—"Mr. President, Sir, I regret I have to oppose this Bill. I have to characterize it as a false alarm. From the statistics that the hon. the Home Member has placed before us, I do not think any legislation will be justified, especially a penal legislation of this character. Is there a general prevalence of crime in society to force the hands of Government to bring forward a measure penalizing in its nature as this measure is? Neither the Commissioner of Police nor the Home Member has made out any case for this legislation. If really there were cases of a large number in the City where such false alarms have been received by the Police, the Government would be justified in bringing forward this measure. With regard to its merits, although the Select Committee has altered the nature of the Bill to a certain extent, I am afraid even that does not go far enough, because it has to be proved that the person who has given the alarm of fire has done it with bona fide intentions or he has done it in order either to tease the fire-brigade department or create some trouble to that section. This addition of the clause which he knows to be false does not help or alter the object of this legislation materially, because ultimately the man will have to go to the court the moment the Police regard him as one who has given a false alarm; he will have to go before the magistrate and prove his innocence. We know how difficult it is for poor people particularly to prove their innocence even if they are innocent. Such being the case the result will be that even in cases where the alarms are real the Police might not trace out the place and go to the place where the fire might really have taken place and consider that he has given the false alarm. He might be charged because the person might not have given the proper address of the place and might have in a hurry given some incorrect information. The alarm might be true and the fire might be taking place. If the fire engine does not go to the proper place because of the wrong address and then reports to the Commissioner 'no fire' the result will be the poor man will be hauled up and what is the punishment? It goes to hundred rupees. It is really a very harsh punishment for a crime like this. No doubt a section like this might exist in the Bombay Presidency. We know conditions differ with regard to the two cities. In Bombay the number of fires taking place is out of all proportion, at any rate very much more in number than it is here, and I can understand a provision of this nature being found in the City of Bombay. I do not know about the fire in Madras and Bombay, but I believe it must be many times more in Bombay than in Madras. So, I would repeat that these alleged crimes that have been committed by a set of people to the extent of six in the course of one year is sufficient for any Government to

bring a penalizing legislation of this nature. Therefore I hope hon. Members will reject this motion because it will act as a hardship on the City of Madras because innocent men will be penalized for no mistake committed.''

* Mr. SAMI VENKATACHALAM CHETTI :—'' In the first place I may at once say that my objection in the forenoon for proceeding with this Bill was due to a copy of the Bill before it was amended by the Select Committee having been in my hands which included so far as punishment is concerned imprisonment to a maximum period of three months. As it was some time past when this Bill was amended by the Select Committee I lost all recollection of the modifications made in the Select Committee. Of course we then pointed out as we are doing to-day that there has not arisen a state of affairs in the City of Madras which would require an amendment of the City Police Act; and even now though more than ten months have passed still I am not convinced of the necessity for this Bill. As a matter of fact I do not think any false alarm has taken place which seriously interfered with the utility of the fire brigade in respect of managing other fires. But whatever that may be, so long as it is perhaps necessary to provide for future contingencies we have made it as liberally as possible in the sense that even innocent mischief-makers need not be penalized to conviction by imprisonment thereby damaging their future career.

2-45 p.m. '' After all, this is not an offence which requires such a drastic punishment as imprisonment. Therefore we suggested that imprisonment should totally go, and we also pressed that the fine of hundred rupees that is provided for in this Bill might be reduced to Rs. 50. Because, Sir, you are aware that even under the Indian Railways Act, the puller of the alarm chain in railway trains, if it was done with an intention to cause mischief, is punishable only with a fine of Rs. 50 for the offence. It seems to me that those who are on this side of the House whose constituency is concerned with this legislation are in a position to allow this Bill to be passed if the hon. the Home Member is pleased to allow an amendment reducing the fine of Rs. 100 to Rs. 50. With these words, I request the hon. Member to co-operate with us, so that we may proceed with the next item on the agenda.''

* Mr. C. BASU DEV :—'' Sir, I rise in support of this Bill. I wish to point out in this connexion that the misconception that innocent persons would suffer is certainly baseless. The burden lies on the prosecution to prove that the person who gave the alarm has known that it was a false one. The wording of the Bill is ' any alarm which he knows to be false.' In the absence of proof of this, no person will be punished.

'' With regard to the suggestion made by the hon. Member for the City that the fine may be reduced to Rs. 50 on the analogy of pulling the alarm chain in trains, I think it is not reasonable. In the city if a false alarm is given and the fire brigade proceeds to a place where really

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PRESENT—*cont.*

Smith, C.I.E., I.C.S., Mr. E. Conran.
Sreshta, Mr. M. S.
Srinivasa Ayyangar, Mr. T. C.
Srinivasan, Rao Bahadur R.
Sriramulu, Mr. G.
Subbarayan, Dr. P.
Subrahmanya Chetti, Rao Sahib P.
Subrahmanya Bhatt, Mr. U. C.
Sundara Rao Nayudu, Mr. T.
Syed Tajuddin Sahib Bahadur, Khan Sahib.
Thorne, C.I.E., I.C.S., Mr. J. A.
Vasudeva Pillai, Mr. V. G.
Venkatachala Reddiyar, Mr. K. C. M.
Venkatarama Ayyar, Mr. K. R.
Venugopal Nayudu, Rao Bahadur R. K.
Wright, Mr. W. O.
Yakub Hasan Sahib Bahadur.
Zamindar of Bodinayakkanur, The
Zamindar of Chemudu, The
Zamindar of Kirlampudi, The
Zamindar of Mirzapuram, The

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

Prisons and Prisoners

Supply of buttermilk to C class prisoners.

* 488 *Q.*—Mr. G. Lakshmana Reddi: Will the hon. the Law Member be pleased to state—

(*a*) whether the Government have received proceedings of a meeting of the non-official visitors of the Bellary Central Jail presided over by Diwan Bahadur M. Gopalaswami Mudaliyar urging the modification in the jail diet given to the C class prisoners specially recommending the supply of buttermilk in order to ensure better health and if so, what action has been taken in the matter;

(*b*) whether the Government have also received complaints regarding bowel complaints and in particular dysentery prevalent among prisoners for want of buttermilk as part of their diet; and

(*c*) whether the Government have made any and if so, what enquiry to see if they should not change their opinion in regard to the supply of buttermilk?

A.—(*a*) The answer to the first part of the question is in the negative and the second part of the question does not arise.

(*b*) No.

(*c*) No.

Mr. G. Lakshmana Reddi:—" May I know whether the report of the proceedings of any meeting of the non-official visitors has since been received? "

The hon. Diwan Bahadur Sir M. Krishnan Nayar:—" No, Sir."

Mr V. M. Ramaswami Mudaliyar:—" May I know, Sir, whether in view of the feeling in respect of the non-supply of buttermilk to C class prisoners among the Members of this House, Government have any intention of modifying those rules? "

The hon. Diwan Bahadur Sir M. Krishnan Nayar:—" I shall consider my friend's suggestion."

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may be reduced to Rs. 50, I know that the proposal is made in the interests of smooth-sailing and I reluncinatly agree to it."

* The hon. the PRESIDENT:—" I will put the motion to the vote of the House. The question is—

' *that the Bill further to amend the Madras City Police Act,* 1888, *for a certain purpose* (*Bill No.* 2 *of* 1932) *as approved by the Select Committee be taken into consideration* '."

The motion was put and carried.

Clause 1.

* The hon. the PRESIDENT:—"I will now put each clause to the vote of the House. Clause 1 with the alteration of ' (Amendment) Act, 1932,' into ' (Second Amendment) Act, 1933 ' was put and carried."

Clause 2.

Mr. T. S. RAMASWAMI AYYAR:—" I move—

' *for the substitution of the words " fifty rupees " for the words " one hundred rupees " in clause* 2 '."

Mr. K. A. NACHIYAPPA GOUNDER:—" I second it."

The amendment was put and carried.

Clause 2, as amended, was put and carried.

The Preamble was then put and carried.

The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur:—" I now move, Sir—

' *that the Bill, as amended, be passed into law* '."

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—" I second it."

The motion was put and carried, and the Bill was passed into law.

XI.—DEMANDS FOR SUPPLEMENTARY GRANTS FOR 1932-33.

GRANT VI—IRRIGATION (EXCLUDING CAUVERY-METTUR PROJECT)—RESERVED.

* The hon. Sir ARCHIBALD CAMPBELL:—" Mr. President, Sir, on the recommendation of His Excellency the Governor, I beg to move that—

' *the Government be granted a further sum not exceeding Rs.* 900 *under Grant VI—Irrigation (excluding Cauvery-Mettur Project)—Reserved.*'

" This sum of Rs. 900 represents a token amount of 100 each under nine heads. The reasons for this demand are fully explained in the note which have been placed before the House. The explanatory notes give the details of expenditure under the several items. I think it is unnnecessary for me to take up the time of the House in going through these items one by one. If any hon. Member wants further information, I shall be glad to supply it so far as I can."

The demand was put and carried, and the grant was made.

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* The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR :—" Sir, on the recommendation of His Excellency the Governor, I move—

'*that the Government be granted a further sum not exceeding Rs. 400 under Grant XVI—Electricty—Reserved.*'

" All these are paying concerns, and the money can be found by reappropriation this year. Only the sanction of the Council is required to incur the expenditure. All the details are set forth in the explanatory memorandum that has been already circulated to the Members."

* Mr. SAMI VENKATACHALAM CHETTI :—" I am sorry, Sir, that what I wanted to elicit from the Government has been overlooked when the hon. the Revenue Member made his motion for the grant. But, might I take this opportunity and ask the Government whether the sanction to these projects would mean appropriation of moneys which are found to be surplus in the current budget or whether they can be provided for from the provision already made."

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR :—" I may say that they have not already been provided for. But the money that will be necessary for the expenditure this year will be a small sum, and as my hon. Friend knows very well, when large grants are made for each departments, it is easy to find small sums as reappropriations."

* Mr. T. S. RAMASWAMI AYYAR :—" Well, Sir, it may be that these grants are necessary for the purpose of getting on with the progress of the electric schemes. But I feel, Sir, that in matters like this, it will be much better if the money is to be taken out of capital expenditure instead of from revenue funds. It was only yesterday that some of us suggested that some money could be got from the reserves and from the closing balance, to afford relief to the agriculturists. If money is going to be frittered away on many schemes like this, I am afraid the motion that was practically unanimously passed by the Legislative Council yesterday will not be given effect to. It is for that purpose that I rise to point out to the Government that they should, in matters in which capital expenditure is to be incurred, incur expenditure only from the capital account and not from revenue funds."

* Mr. BASHEER AHMED SAYEED :—" I rise to ask the hon. the Law 3 p.m.
Member whether any profit has already been earned by the Pykara Hydro-electric scheme and, if so, how or by what system of accounting the same was arrived at; whether, if it is a profit-earning concern, commercial system of accounting has been introduced and, if not, whether that will be introduced before long. If once the hon. the Law Member admits that it is a profit-earning concern, he will admit that it is necessary to introduce the commercial system of accounting in the concern. If that is not done, it would not be possible for us to know whether there is real profit or loss. I would therefore urge that if commercial system is not introduced already, it should be done early so that this House might know exactly what is the profit or loss accruing from the concern."

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Mr. K. A. Nachiyappa Gounder :—" Mr. President, if I intervene in connexion with this discussion at all, it is for the purpose of getting information from the hon. Member in regard to item (c) under this Demand, namely, extension of electric supply to Bhavani. I would like to know whether the town of Bhavani is to be electrified or any other place in that taluk."

* The hon. Diwan Bahadur Sir M. Krishnan Nayar :—" With reference to the remarks that fell from my hon. Friend Mr. Ramaswami Ayyar, I may say that this comes out of the funds allotted by the Council in the budget last year. I believe that the amount allotted for this expenditure is out of the Loan Fund and it is out of this fund that the proposed expenditure is to be met. Thus the fear expressed by my hon. Friend has no foundation.

" With reference to the remarks made by Mr. Basheer Ahmed I may say that it is only quite recently that the project has begun to work. It is not possible therefore to give the actual details of the profits out of the project. It is a well-known fact, however, that it is a paying concern. As regards his other suggestion that if it proves to be a paying concern, commercial system of accounting should be introduced, I may state that I shall consider it.

" Mr. K. A. Nachiyappa Gounder wanted to know what place at Bhavani is going to be electrified. I may tell him that it is only the town of Bhavani that is sought to be electrified, the Bhavani union having consented to meet the necessary expenditure if the Government give them power."

The demand was put and carried and the grant was made.

GRANT XVII—EDUCATION—TRANSFERRED.

* The hon. Diwan Bahadur S. Kumaraswami Reddiyar :—" Sir, on the recommendation of His Excellency the Governor, I move—

' *that the Government be granted a further sum not exceeding Rs.* 3,33,400 *under Grant XVII—Education—Transferred.*'

" The note circulated to hon. Members explains the reason why this Demand is moved. When the budget estimate for the year was prepared, it was possible only to make a limited provision for this purpose; because, as estimated then, the revenues of the province made it possible only to make that limited provision. In view of the fact that the commitments of the Government are so heavy, it is only equitable that in the improved state of our finances a larger provision should be made and local boards and the managements of private aided institutions should be given some further grants. It is for that reason that this motion is moved."

* Mr. Sami Venkatachalam Chetti :—" Mr. President, it is becoming increasingly clear that demand after demand is an encroachment upon the surplus and that there will be nothing left for the remission this Council recommended should be given under land revenue. While on the one hand, it will be very wrong indeed to allow such a large

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surplus as 60 lakhs to be dissipated amongst the various departments of Government without giving the necessary and much needed remission to the agriculturists, the Government are driving the Members to the other alternative of passing Grants for Education, Medical Relief or Subsidies to Local Bodies. This has always been the manner in which Government used to treat this Council. When they have a large surplus of Rs. 60 lakhs it is incumbent upon them to apprise this Council of it and ask for proposals as to how to distribute that money. If the Council had been given that opportunity, there is no doubt that it would have recommended remission to the agriculturists as the first charge upon such surplus. Sir, if only we have the time to look into the manner in which our income is expended, we will know the enormity of injustice we are doing day to day to the poor agriculturists. Our total revenues amount to nearly 17 crores. All this money comes from the poor agriculturists and the landowners, except for about 2 or 3 lakhs that we get by way of remission from the Government of India, as our share of the income-tax. Excepting this, most of the income that is derived in this province is from the land and yet, when you look at the expenditure side, what is it that you see returned to the poor agriculturists? We spend about $2\frac{1}{2}$ crores on police. For whose protection? The poor man has not even the property for the police to protect. It is for the townsman, it is for the man living in the cities, driving in motor cars, owning wealth to be protected that we spend such a large sum as $2\frac{1}{2}$ crores. Then we spend an equal amount on education. What kind of education? Not even a tenth part of the sum spent under Education goes for rural education, for education in villages. We spend a lot of money upon university education, upon buildings for universities, upon secondary schools and upon higher education. You will see that all this sum is therefore spent in towns and cities for the benefit of those who live there. The villager does not get the benefit of education and it is denied to him.

" Then about medical relief. What is the medical relief we give the poor man in the village? Except a few medical men who are taken in under the Rural Medical Relief scheme, every other rupee spent on Medical Relief goes to the man who lives in the city or who has got the luxury of becoming sick. A poor man cannot enjoy the luxury of getting sick to avail himself of the medical relief provided by the Government. Practically the 17 and odd crores that you take from the land is given to the person who is a parasite practically upon the poor population, to the person who lives in the city, enjoying privileges and luxuries at the expense and sacrifice of the poor man. That is the situation in which we are. Now I ask, are the Government going to allow the poor agriculturists to perish, to completely become useless even to give you the 17 crores you want in order to spend on townsmen? That is a very unfair way of dealing with the goose laying the golden egg. From this point of view it becomes imperative on our part to object to the surplus being distributed in this way. Apart from that, granting that we cannot influence the Government to reserve this large surplus in order to give remission to the agriculturist and the cultivator, we have to examine whether the amount that is now asked for is to be properly

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spent. The hon. Minister for Education wants this money for the construction of buildings, for grants to private management and local bodies who have built buildings for the purpose of housing schools and for which half contribution from the Government is justly due. But before the Government agrees to give moneys as grants for the construction of buildings for schools, may I ask the hon. Minister whether he has increased the allotment for the distribution of ordinary grants to these schools? Most of the schools are to-day on the verge of ruin. Private managements are unable to continue to maintain schools on account of the fact that the Government grants have been reduced by practically a third of what they formerly were. Many schools which have rendered very useful service in the spread of education and which have co-operated with the Government in educating the masses are to-day at the point of being closed down. May I ask the hon. the Minister for Education to tell us what amount he has set apart for increased grants to be given? Is it not a fact that the grants originally given were reduced by a third of the original figure. I know from practical experience, however emphatic may be the denial from the hon. Minister, that in respect of the schools in the city there has been a great reduction in the award of grants and, I dare say, that is the case also with regard to mufassal schools. If it is necessary therefore that we must agree to this demand, we can only do so if the expenditure is going to be made on the more essential service of increasing the ordinary grant than on the non-essential service, so far as this year at least is concerned, of constructing buildings."

Mr. M. A. Manikkavelu Nayakar :—" Sir, it is said that the provision in the current budget for Building and Equipment Grant fell far short of the actual commitments and that in fact the demand was five times the actual provision. If that be so, I wish to know from the hon. Minister on what principle this limited sum of Rs. 3 lakhs and odd is going to be distributed. Is it going to be a case of first-come first-served, or is it going to be distributed on any rational basis? There are cases in which grants are required very urgently and there are cases in which the grants are an utter necessity. There may be cases in which the grant may not be so urgent. Therefore I wish to know from the hon. Minister whether any principle is adopted for the distribution of the sum now asked for."

Mr. K. A. Nachiyappa Gounder :—" Sir, I should like to draw the attention of the hon. Minister to one matter in connexion with the allotment of building grants. So far as my information goes, the Government, as soon as they receive the budget of the District Educational Councils, pass the amount shown in the budget. For instance, with respect to the Salem District Educational Council I am given to understand that they budgeted for about Rs. 10,000 for building grants, and though the Government sanctioned that item they are not actually paying any appreciable amount for the purpose. I request the Government to come forward with liberal grants to District Educational Councils so that the aided agencies may get more grants freely.

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" But I would also request the hon. Minister to consider the case of Salem which is comparatively a very poor district where the aided managers are not able to get good accommodation. So I request him to consider twice before he distributes the amount, to consider the claims of Salem and do justice to it. 3-15 p.m.

" As for the local bodies, I think the Government should be more liberal in giving grants, because many of the local fund elementary schools are being kept without proper accommodation and they are being recognised temporarily year after year. Therefore I request the hon. the Minister with a view to afford facilities for getting permanent recognition to make more liberal grants to these schools."

Mr. A. Ranganatha Mudaliyar :—" I am in entire agreement with the observations made by my hon. Friend Mr. Sami Venkatachalam Chettiyar. It is undoubtedly true that the mufassal interests are in an ever-increasing extent being sacrificed to satisfy the so-called claims of the city. We hope that my hon. Friend Mr. Sami Venkatachalam Chetti, the Member for the City of Madras, will stand by us when the time comes for pressing the claims of the mufassal. Probably when we press the claims of the mufassal, the City Members may have a different thing to say.

" I am just now concerned in asking the hon. the Educational Minister whether in the amount he is now asking for he has made provision for completing the buildings for which he has already given a grant. I have in mind the particular case of the Municipal High School of Hospet. Originally the estimate was sanctioned for Rs. 49,000. In that it was estimated that the building was to be constructed with bricks, the roofing was to be of Mangalore tiles. Now, Sir, we have no facilities in Hospet for manufacture of good bricks. But, we have very good stone available. Mangalore roofing again is not suitable for a high building in an isolated area like the one at Hospet. Government have been avoiding it for their buildings. There were similar objections to some other buildings. The Consulting Architect to the Government personally inspected the place and satisfied himself that at least the important objections raised to the original estimate were reasonable and after cutting off the superfluous items that were asked for, ultimately approved a revised estimate for Rs. 63,000, if I remember right. The revised estimate is now in excess of the original estimate by Rs. 14,000. The Government, according to the rule of half and half grant, have to find Rs. 7,000. I want to know whether this excess of Rs. 7,000 is going to be granted free and the balance as a loan."

* Mr. Basheer Ahmed Sayeed :—" I wish to confine myself only to one item in the grant, that is, the building grants to elementary schools. Sir, it is true that much more money than has ordinarily been allotted hitherto to elementary schools is required by the local boards and municipalities in the districts of South Arcot, Coimbatore and Salem. I have personal acquaintance with many of them, both the local boards and municipalities. They have no buildings of their own in

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many cases. It is very difficult for them to find the necessary funds for putting up buildings of their own necessary for the elementary schools. What is happening is that if a school is needed in any area it is located only in such places where a building is available. Very often the taluk board or the municipality asks for buildings free of rent and if in a particular village no suitable building is available or even if available, is not free of rent, no school is located there, although there may be a great need for a school in that locality. I know personally in the district of Coimbatore (Erode and Gobichettipalayam taluks) difficulties have been felt and for want of suitable buildings no schools could be located although there was great need for them. That state of things has been going on for a number of years. It is high time that the hon. Minister considers ways and means of putting an end to that state of affairs and making liberal grants for the construction of buildings to all local board and municipal elementary schools.

"Apart from that, I find that these buildings where the schools are located are very unsuitable. The accommodation is not at all sufficient for the pupils studying in those schools and the buildings are so insanitarily constructed that they are hardly fit for human habitation, at least for young pupils crowded in them. I would like the hon. Minister or the authorities lower down to carefully consider the question before the grants are actually disbursed and find out as to what exactly is the nature of the buildings that are to be put up out of this grant. I find very often unsuitable buildings are being constructed and the works are given to bad contractors and there is no proper supervision. I have heard that in buildings that have been put up on particular places, the walls and roofs have cracked or become leaky within a short time. Such irregularities ought to be avoided. It is quite within the purview of the Educational Department to see that the grants made are property utilized. I remember that some years ago when the Agricultural Commission came and reported on rural education they recommended certain types of buildings and certain types of schools to be promoted in the rural areas. I would like to know from the hon. Minister how far these conditions laid down by the Agricultural Commission have been given effect to. In one particular item the Agricultural Commission recommended that each school in the rural area should be surrounded by a sufficiently big compound for the boys to learn some of those things which are necessary to be learnt in the rural area. For instance, they have to be taught agriculture on a small scale and also breeding and farming. These things have to be kept in view when buildings are constructed. I have seen buildings where there are no compounds at all. In some cases they are as congested as may be in any crowded city or town. I should like to urge upon the attention of the hon. the Minister for Education to take steps to improve the present type of schools and also to see that each school is constructed in an area surrounded by a sufficiently big vacant space suitable for agriculture and other operations to be taught to the pupils. I therefore urge that at least in the next budget, if not in the supplemental budget, larger

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grants should be provided for elementary schools and strict terms and conditions imposed for their proper utilization."

Mr. ABDUL HAMEED KHAN :—" Sir, I wish to have some information from the hon. the Minister for Education on one point. The hon. Minister has come forward with a demand for grants under various heads in the educational budget. I wish to know whether the hon. Minister had considered the question of wastage in education. At the Budget meeting last year I think the hon. Minister promised that he would go into this question thoroughly and suggest remedies to prevent this wastage. Of course we know the various Educational Councils are distributing patronages all round. Yearly grants to schools in most cases have not been utilized and in many cases the inspecting authorities have not given recognition. I think there is no provision to surcharge the Members of these District Educational Councils as there is in the case of local bodies. The Members of the Educational Councils have no fear and they go on distributing patronages so that they may have a large number of canvassing agents who could canvass votes for them at the time of elections. I wish to impress upon the hon. the Minister for Education that he should take immediate steps to prevent this wastage in the Education Department. I should certainly be pleased if the hon. Minister is able to enlighten us on this point."

* Rao Bahadur C. NATESA MUDALIYAR :—" Mr. President, of course some of the Members who spoke said that all the moneys that the hon. Minister wants are for the City of Madras or for some other town. They spoke like that and my hon. Friend Mr. Ranganatha Mudaliyar appealed to us to look after the rural areas. I may say all the items that are mentioned here are for the rural areas and not for the City of Madras alone. Except Rs. 30,000 which is required for the Arts Colleges, all the other moneys have to be spent on secondary and elementary education of local bodies. I wish the hon. Minister for Education amends the Madras Education Act in such a way that levying of fees in the compulsory elementary education area will be put a stop to. I also request him to make liberal grants to aided schools in the City of Madras. We want that more money should be spent for secondary and elementary education in the rural areas. We want many more things to be done for the City of Madras. Compulsory elementary education should be introduced throughout the presidency. Any amount of money could be lavishly spent as they do in the western countries. I also believe in holding schools on pials and under banyan trees, seating the pupils on the mat as a very good means of spreading elementary education throughout the presidency. Mr. T. S. Ramaswami Ayyar to-day referred to the resolution of yesterday for a remission of land tax by $12\frac{1}{2}$ per cent. I tabled a resolution for 25 per cent reduction. In the United Provinces they have reduced it by 25 per cent and Sir Malcolm Hailey is credited as a statesman for doing so. He is not only a Revenue Collector but he is considered also as an able administrator who knows the difficulties of the agriculturists. I wish that our taxation is reduced as much as possible. Some hon. Member congratulated the Finance Member on the surplus this year more than the last year and for

having balanced the Budget. I believe, Sir, these surpluses will lead to future misery for this province. Our administrators for years past were squeezing money out of the ryots and without attending to the various schemes which have been of great necessity to our province, were showing surpluses and accumulating money so much so that when Montford Reforms came our presidency had to contribute 340 lakhs to the Central Government while sister presidencies had to contribute only 50 or 60 lakhs. Thus our presidency was subjected to an iniquitous impost. This Council, the then hon. the Finance Member, the editor of the Madras Mail all struggled hard to get relief. Now when all the other provinces have not been able to balance their budgets owing to the depression we are able to balance our budget and also perhaps increase our income. This we have been able to do by retrenchment, by withholding relief from the ryots and not taking up works that are most needed.

3-30 p.m. "I am afraid the same story will be repeated in connexion with the coming Reforms. It will be pointed out that Madras has got more than it needs and can very well make a handsome contribution to the Central Government. The way in which our finances have been managed is, I hope I will be excused for saying that, not to the advantage of our Province. It is not statesmanship to commit a mistake and then make efforts to rectify the blunder. What I would say to every Member of the Cabinet is this: 'Now you have got a surplus, a surplus much greater than you had last year. Try and do all that you ought to have done for the Province and save the Province from years of future misery. Do not put yourselves in a position of being forced to contribute large sums to the Central Government when your own nation-building departments are suffering for want of encouragement.' In this connexion I would ask the Education Minister to amend the amended Education Act which made every one of us unpopular. It is wrong to tax the nation-building branch of education by levying fees from boys and girls in elementary schools in compulsory elementary education areas. No fee should be levied in elementary schools. I am not for having costly buildings and other appliances. I believe in the school under the banyan tree as the only rapid and sure way of spreading education in the country. Then let us encourage and help local bodies in their educational endeavours. I would ask the hon. Ministers to come forward with more supplementary grants so that they may consume at least half the surplus that is available. Let not the Minister in charge forget the contribution to medical inspection of schools. With these words, I beg to support the grant that has been moved."

* Mr. C. R. Parthasarathi Ayyangar:—"Sir, the grant asked for is very little when compared to the needs of the various schools in the Presidency. In this connexion I should like to say a few words with regard to the policy of spending money on erecting buildings for elementary schools. I think that a pucca building is not necessary for housing elementary schools. A thatched shed with a small garden all round is all that is required. It is sheer waste of money to put up big buildings for elementary schools. After all what is the present state of

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many of the buildings in which the elementary schools are housed? They are all dilapidated as nobody cares for them. The teachers have absolutely no idea of how to preserve their buildings. The District Educational Council Members in whose charge the elementary schools are have not the time or the inclination to visit the schools and keep them in proper repair. Even a casual observer will see from the way in which the buildings are preserved that it is all a sheer waste of money.

" The best way in which we can spend any money that is available for education is by giving the teachers a living wage. We must improve the conditions of the teachers who are now in a miserable condition. Stipends for teachers under training have been cut off; this morning also there was a question about the stipends of teachers in Chittoor. I asked the hon. Minister why the stipends have been cut off. Many representations were made to him on this question and I ask him to look over his files and see whether he could not restore the stipends drawn by these poor people. With regard to buildings for elementary schools, I say that there must be a thorough change in our policy. Many of the children who join the elementary school do not stay in the school long enough to learn anything. There is a great waste of money and energy. On the other hand, the case is different with regard to students in secondary schools. They continue their education up to the end. I am surprised to find that no demand has been made for building grants to aided secondary schools. Is it a slip or a deliberate omission? As the boys stay longer in secondary schools, they ought to be looked after more carefully than children in elementary schools.

" Education has been a transferred subject for the last 12 years. What revolution have we effected in our policy? Have we spread education as widely as we ought to have? No, still there are millions of people without any means of education at their disposal. Have we made our elementary and secondary education more useful to the people than it used to be? Have we made any rapid advances in giving vocational and industrial education to the people? I must say that the large number of people we send out of our schools every year without any means of earning their livelihood constitutes a menace to the country. I hope that the hon. Minister will pay attention to all these matters and find fruitful ways of spending the funds at his disposal."

Diwan Bahadur M. Gopalaswami Mudaliyar:—" Sir, if I understood Mr. Sami Venkatachalam Chetti aright, I think he meant that more money was being spent in the mufassal headquarters, that is to say in the urban areas, than in the rural areas. He wanted that when the Government had a surplus at its disposal it ought not to be spent in the mufassal headquarters and the Madras City but should be spent, most of it, in the rural areas. He said that one of the ways of benefiting the rural population was by reducing land revenue, as was suggested in the resolution passed by the Council yesterday. I think we all sympathize with that idea. If I am not considered irrelevant, I believe, that Tanjore, vociferous as it has been in its demands, and Kistna—it too has probably been so—have made themselves felt this time on account of the

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abnormally low prices of paddy. Unfortunately my district and the other adjoining districts are suffering from chronic poverty all the time, being famine zones and our poverty is not incidental to the present period of depression. Periodical famine and widespread distress are a normal feature with us and therefore we have a greater claim for remission of land revenue.

"Leaving that aspect of the question aside for a moment, so far as the grants for secondary schools are concerned, if the grants are intended for incomplete secondary schools, they should be passed without a moment's hesitation. There is a school in my district, in Rayadrug, which was taken up by the local body on a promise from the Government of a grant of Rs. 60,000. But the grant was not made on account of the financial stringency. The Board spent its half grant and brought the building up to the roof level. They were repeatedly asking the Government to consider this school as a special case—the building has been brought up to the roof level and there is the danger of the walls crumbling down in the rain—and make the grant they promised. But unfortunately the grant has not been made. The Secretary to the Local Self-Government Department will remember that several times I approached him in connexion with this school. He used to say: wait for better times. Now that better times have come, I hope that the Rayadrug High School building which is in an incomplete condition will be given the grant which was once promised to it.

"As regards the other item of Rs. 1 lakh provided for elementary schools, I agree with Mr. Parthasarathi Ayyangar, the hon. Member from Chittoor, that this is not the time for starting new elementary schools; we must wait for better times. Of course, incomplete schools must be completed and grants must be made for them. If there is more money available, it should be utilized, as the hon. Member, Mr. Natesa Mudaliyar proposed, to make education free and compulsory as far as possible. It is more urgent than having costly buildings. I hope that in utilizing money at the disposal of the Minister he will pay attention to the urgent need of the incomplete school building I have referred to."

* The hon. Diwan Bahadur S. Kumaraswami Reddiyar:—"Mr. President, Sir, I am indeed very thankful to the hon. Members opposite who have made some very helpful suggestions in regard not only to the distribution of the amount I am asking for at present but also with regard to the policy that I should adopt in the distribution of any future grants. Let me at once remove a misapprehension which has been entertained by the hon. Member from the City of Madras, Mr. Sami Venkatachalam Chetti, that by voting for this additional grant a further inroad will be made on the surplus which it is the intention of the House to employ for the remission of land revenue in this Presidency. The surplus with reference to which the resolution of yesterday was passed has been arrived at after making provision for all these additional items of expenditure. So, I would ask hon. Members of this House not to be frightened by that circumstance which my hon. Friend, Mr. Sami Venkatachalam Chetti, mentioned. With regard to his criticism that the

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City was preferred to the rural areas, well, I am glad that he has been converted to the view which many like myself representing rural areas have advocated for years in this House. But that criticism which he and some other hon. Members made, namely, that the needs of the city (interruption) or the needs of the urban areas as he now corrects himself, were cared for more than the needs of the rural areas, is unfounded.

" Provision has been made for grants to secondary schools in mufassal areas and to primary schools. Secondary schools and primary schools under local bodies and private management are not confined to urban areas but are scattered all over the districts and they are more in rural than in urban areas. Let me also mention to the hon. Members of this House that by passing this grant, they will not be guilty of any undue liberality with regard to grants for educational buildings. As I explained at the very beginning, the provision that was made in the current year's budget had necessarily to be very limited because it was thought at that time that the amount available would justify only that allotment. But later on in the year it has been found possible to make a larger provision and to bring the allotment for this particular purpose nearer the normal level of the provision which year after year has been made for the purpose of building grants. There is no fear that in the distribution of these grants, any undue partiality would be shown to any particularly favoured schools. As hon. Members just pointed out, the needs of those schools which have already been completed or have progressed much in the execution of their works, they have to be considered first, and the Government have been acting on that policy. It is only those managements which either with borrowed capital or with capital obtained in some other manner, have completed their school buildings, that will be given the first preference. After that, those managements who have undertaken the work and partially executed it, will have the next chance. Schools which have not put into execution any building scheme will have to wait. I may also mention for the information of this hon. House that the Government have issued orders directing the Director of Public Instruction to stop the examination of any further schemes for buildings for schools, so that there is no fear that we shall be flooded with applications for further grants till we discharge the existing liabilities which, I am afraid, may take even five years more. We shall not entertain any further applications for grants for buildings. I am sure that hon. Members will agree with me—and if I am not mistaken that was the view of several hon. Members—that we should discharge our present commitments before we undertake further liabilities. With regard to specified schools to which hon. Members made reference, I see that they are schools which have either been completed or which have made substantial progress in their building operations and according to the test which I have already mentioned, I do presume that these schools would be preferred to many other schools which apply for grants. My hon. Friend, Mr. Sami Venkatachalam Chetti, said that teaching grants ought to have the first place in the distribution of any amount that may be available for educational purposes. I may at once say for his information that even in the budget

3-45 p.m.

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as originally framed, we have made a much more liberal provision for teaching grant than we were able to do last year. The cut in teaching grants has been reduced to 2 per cent of the normal grant which schools would be eligible for. Last year it was a great deal more and I am sure that a 2 per cent cut which has been imposed this year will not be felt as any serious loss by managements of schools. If individual schools and individual managements have suffered, I need scarcely tell my hon. Friend, Mr. Sami Venkatachalam Chetti, that it is not the Government that is to blame for this result but it is the District Educational Council to which the managers sent their representatives."

Mr. SAMI VENKATACHALAM CHETTI :—" I am not referring to primary schools; I am referring to High Schools and Lower Secondary Schools."

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR :—" So far as these schools are concerned, they are not going to have any higher cut than 2 per cent. I hope that is as liberal a treatment of these schools as can be expected under the existing financial conditions."

Mr. SAMI VENKATACHALAM CHETTI :—" I know of three institutions which have suffered 50 per cent loss."

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR :—" If my hon. Friend would bring such cases to my notice, I shall certainly examine them. I may state that the Government have not sanctioned any cut more than 2 per cent of the normal grant for which the school may be eligible. There may be other reasons, that would have justified such a large reduction in the grant to these schools; that is not due to the general cut which the Government have ordered. If my hon. Friend would bring the cases to the notice of the Government, I shall certainly look into the matter and anything that can be done, I shall be very happy to do. I would have been happier than I am at present if I was able to move before this House to-day a grant even larger than Rs. 3,33,400. My only regret is that the financial condition of the Province has not improved to such an extent as to justify a larger demand for this purpose. I once again thank hon. Members of the House for the valuable suggestions they have made, which I shall certainly bear in mind and carry out as far as I can. With these words, Sir, I commend this demand for the acceptance of this House."

The demand was put and carried and the grant was made.

GRANT XIX—MEDICAL—TRANSFERRED.

* The hon. the RAJA OF BOBBILI :—" Sir, on the recommendation of His Excellency the Governor, I beg to move—

'*the Government be granted a further sum not exceeding Rs.* 300 *under Grant XIX—Medical—Transferred.*'

" Under this demand provision has been made for the construction of Infectious Diseases Hospital in Coimbatore and for the construction of a building for the Thondamathur dispensary. The amount required for this purpose is Rs. 15,000 and odd. A token demand

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of Rs. 100 is required for the construction of additional wards in the Leper Asylum, Manamadura. A half grant of Rs. 3,500 towards the cost of the work completed is admissible for the work. A sum of Rs. 100 is asked for. The balance will be met from the amounts resumed and held under Grant XIX. Medical—Transferred.

"As regards the last item—Maintenance of the Prince of Wales Children's Hospital, Madras—I beg to state that the Prince of Wales Hospital Committee have agreed to place at the disposal of the Government a sum of Rs. $3\frac{3}{4}$ lakhs. It is proposed to construct a 50-bed ward for women children in the compound of the Victoria Caste and Gosha Hospital, Madras, at a cost of Rs. 2,61,600. The balance of Rs. 1·13 lakhs is to be used as an endowment for the hospital. The object of moving this demand is to authorize the Government to incur a recurring expenditure of Rs. 3,800 per annum, which is the balance that is found necessary after deducting the amount we would get by way of interest from the endowment fund. For all these reasons, I move for the grant of a further sum of Rs. 300."

* Rao Bahadur C. NATESA MUDALIYAR:—"Mr. President, Sir, I am very glad to see the hon. the Raja of Bobbili asking for money for all these improvements. But I wish to point out that there are more urgent needs than the present ones. Some provision should be made for increasing the number of beds in the Victoria Caste and Gosha Hospital. There is one room used in the out-patients department in which I learn 600 patients are medically examined and given medical advice by 7 doctors. It is only those who go there will know the fact. I would request the hon. the Chief Minister to pay a visit to this hospital so that he may see that the building is immediately enlarged. There is not enough accommodation at all in the hospital. This is one of the hospitals in the City which serve not only the City but the whole Presidency. There the patients are accommodated on the floor and on the verandas. I wish very much that the hon. the Chief Minister comes forward with a supplementary grant, for improving the hospital, immediately before the end of the year.

"Then, Sir, some money is provided for the improvement of the Leper Hospital at Manamadura. I request him to look at the condition of the City. Lepers are a menace to the City. There was a Leper Asylum in Madras; that was removed to Chingleput. There is not enough accommodation in the Leper Asylum at Chingleput. The Government should pay more grants to the Missionaries at Chingleput to increase the beds in that Asylum. It is better to have a Leper Asylum in Madras itself. Here there is no place for lepers to go to. The 'Poor House' will not take the lepers, because they are suffering from an infectious disease. They are found everywhere in the City. They are found before the hotels, alms-houses and every tram-stand. So, I request the hon. the Chief Minister to see that provision is made for a Leper Asylum in Madras. I ask the hon. the Chief Minister who is also the Minister for Public Health to see that educational grants are given for medical inspection of schools.

[Mr. C. Natesa Mudaliyar] [25th January 1933

"I urge the necessity of extending the Victoria Caste and Gosha Hospital immediately. The patients there are suffering very much. Is it possible for 7 doctors to give consultation to 600 patients in a room perhaps 24 feet by 18 feet? In this room a portion is screened off for private medical examination. Where are people to stay? Where are the doctors to sit? Placing before the hon. the Chief Minister the immediate necessity to extend that hospital, I heartily support his motion for grants to make various improvements throughout the Presidency."

Mr. Basheer Ahmed Sayeed:—"Sir, I rise to bring to the notice of the hon. Minister the inadequate provision made for women and children in the Headquarters Hospital at Coimbatore. Sometime ago I wrote to the Government that suitable provision should be made in the Municipal as well as in the Government Hospital at Coimbatore for women and children. A promise was made that in the remodelling of the Headquarters Hospital there, adequate provision would be made for the treatment of women and children especially. Subsequently when I went over there, I found people complaining of the same grievances, which they have had to put up with some years ago. Although the hospital was remodelled and finished, I find, Sir, that gosha women particularly are at a great disadvantage in having recourse to medical aid when the necessity arises. In the City of Coimbatore, there is no special gosha ward constructed either in the Headquarters Hospital or in any other Local Board Hospital or Municipal Hospital. I find that a sum of Rs. 7,894 is going to be paid for the construction of the Infectious Diseases Hospital at Coimbatore. I should like to know from the hon. the Chief Minister whether he has satisfied himself that any provision has been made in the Infectious Diseases Hospital for women and children, and especially for those who observe gosha and parda. Though the Muslims are accustomed to gosha and parda, it is very necessary that they should be encouraged to take to medical-aid whenever the necessity arises, and it is not just that they should be penalized for their customs when State funds are spent for public institutions. Unless the municipalities, local boards and the Government give adequate facilities for gosha women and children being attended to in the hospitals, I do not think the improvements which the Government propose to make, will be taken advantage of by an important section of the people at any rate."

(As it was 4 o'clock, the adjournment motion was taken up.)

4 p.m.

ADJOURNMENT MOTION *RE* THE DISTRIBUTION OF THE MUNICIPAL WARDS IN MADURA.

* Mr. K. R. Venkatarama Ayyar:—"Sir, I move the adjournment of the business of the House to discuss a definite matter of urgent public importance, namely, the proceedings of the Government in the Local Self-Government Department notifying the division of the Madura Municipal Council wards in Notification No. 54 in the *Fort St. George Gazette* Extraordinary issued on the 19th instant.

"Sir, this Gazette Extraordinary notification does not in itself contain any statement of reasons. It merely says that this redivision

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APPENDIX I.

[Vide answer to question No. 489 asked by Mr. M. Devadasan at the meeting of the Legislative Council held on the 25th January 1933, page 299 supra.]

Expenditure during 1931–32.

Item number and name of work.	Total charges during the year. RS.	A.	P.	Ayacut, if below 200 acres. ACS.
I. 15A-2. Irrigation—Minor.				
1 Constructing a dividing dam for Sengulam and Pudugulam in Mettukal channel	2	8	0	
II. 15 A-2. Extension and Improvements.				
1 Improvements to Manur anicut	9,166	0	0	
2 Do. channel	2,155	8	0	
3 Constructing a stop wall at the head of leading channel to Gangikondan tank	5,503	2	0	
4 Making up the bund and strengthening the same and stopping leakages in Venganaicken anicut	1,430	14	7	
5 Reconstructing sluice No. 1 in Pattapathu tank, Tenkasi taluk	170	3	6	137
6 Constructing an outlet across the spill course from Aintharuviyar river above Elanji anicut, Tenkasi taluk	3,992	0	0	
7 Forming and strengthening left and right flood banks of Ariyanayagipuram anicut	683	0	0	
Part contribution.				
8 Improvements to Kalasthi weir outlet No. 2 in Singampatti Perungal (extending body wall and revetting slope)	140	12	0	
9 Providing and fixing mile, furlong stones in the bank of Pappankulam channel	199	0	0	180
10 Providing low wing wall at left end of the anicut in rear and providing in continuation up to existing revetment across Puliyur anicut	182	2	9	
11 Surveying and levelling operations in Tinnevelly division for 1931–32	133	6	0	
12 Surveying and levelling operations for 15. A. 2. Irrigation works in Tinnevelly division for 1932	43	12	6	
13 Providing mile, furlong, half-furlong stones in Vadukachmathil tank and supply channel	94	2	0	
15 A-2. Extension and Improvements.				
14 Providing and fixing mile, furlong and half-furlong stones to Nambireddi channel	253	4	0	
15 Providing mile and furlong stones to I. No. 50, Pannakudian channel	112	12	0	
16 Providing mile and furlong stones to Sengalakurichi tank and supply channel	171	4	0	
17 Providing mile and furlong stones to Valliyur tank and supply channel	387	5	0	
18 Providing mile and furlong stones to Padalayarkulam tank and channel	94	10	0	
19 Providing mile and furlong stones to Thirukarangudi tank	65	2	0	

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Item number and name of work.	Total charges during the year.			Ayacut if below 200 acres.
15 *A*-2. *Irrigation, Maintenance and Repairs.*				
	RS.	A.	P.	ACS.
1 Special repairs to Vasudevanallur-Periakulam ..	81	0	0	
2 Repairs to Pambli-Periakulam	688	13	6	
3 Special repairs to Shellianallur anicut	31	0	0	
4 Special repairs to Pillayarkulam anicut	118	0	0	
5 Special repairs to Nanguneri-Periyakulam tank ..	1,207	10	0	
6 Repairs to Ukkirakottai anicut, leading channel and head sluice	1,190	0	0	
7 Repairs to Manur channel	16,022	11	0	
8 Diversion of Pudukulam branch of Mettukal channel.	730	8	0	
9 Closing branches in Karivalam-Vandanallur tank ..	1,471	0	0	
10 Miscellaneous repairs to Korayar weir in Kanadian channel	649	3	0	
11 Making up the bund and repairing sunk revetment, Pattapathi tank	1,117	12	0	137
12 Making up bund, etc., Valliyur-Periakulam	1,060	0	0	
13 Making up bund and providing revetment in scoured places, Nainarkulam tank	1,338	0	0	
14 Making up the scoured bank and repatching damaged revetment of Erayadi channel above and below drop No. 1	1,221	8	0	
15 Raising the right bank in the first reach of Tinnevelly channel	1,751	14	0	
16 Underpinning body wall of Sivalayangal anicut across Hanumanadhi	239	10	0	
17 Making up bund and repairing revetment Vadukachimathil tank and channel	2,245	8	0	
18 Strengthening bund extending and raising the front revetment Sakalaneri tank	2,442	8	0	
19 Repairs to Kothikal anicut across Manimuthar river.	399	15	0	
20 Underpinning body wall, etc., Puliyur anicut across Chittar	691	7	5	
21 Removing silt and cleaning narrow reaches of North Kodamelalagian channel 6/5 to 9/2	380	0	0	
22 Emergent repairs to Manjapalli anicut	842	2	0	
23 Strengthening training wall and forming left bank of leading channel to Gangaikondan tank	2,608	0	0	
24 Repairs to Peikulam and Vannankulam tanks ..	400	15	6	
25 Raising low banks of Kangayam channel from Pudukulam weir to Peikulam inlet	1,837	8	0	
26 Maintenance scheme estimate of Kodagan channel for 1931	5,762	11	0	
27 Conservancy establishment required for maintenance of channels and tanks in Tinnevelly division for 1931	4,595	14	0	
28 Repairs to Pambli anicut and channel for 1931 ..	1,426	15	6	
29 Maintaining the Surandai anicut for 1931	4,442	12	0	
30 Maintaining the Pavoor anicut for 1931	678	8	0	
31 Maintaining the Thiruchittambalam anicut for 1931 ..	1,098	5	0	
32 Annual repairs to Kodamelalagian temporary anicut for 1931	645	3	0	
33 Annual repairs to Kanadian anicut for 1931	1,269	8	0	
34 Maintenance scheme estimate, Tinnevelly channel, for 1931	5,619	15	0	
35 Maintenance scheme estimate, Palayam channel, for 1931	10,846	10	0	
36 Annual repairs to North Kodamelalagian channel for 1931	1,307	0	0	
37 Annual repairs to Nadhiyunni anicut for 1931 ..	1,436	7	0	
38 Special repairs to Kakkanallur supply channel ..	1,088	11	0	
39 Special repairs to the Arasapathu channel	969	1	0	

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Item number and name of work.	Total charges during the year.			Ayacut if below 200 acres.

15 *A*-2. *Irrigation, Maintenance and Repairs*—cont.

	RS.	A.	P.	ACS.
40 Special repairs to Kangayan anicut	1,145	12	0	
41 Annual repairs to Palavur anicut for 1931	2,073	4	0	
42 Repairs to I. No. 28, Thenikulam tank under Kodagan channel	2,159	8	0	21
43 Annual repairs to the Ariyanayagipuram anicut across Tambraparni river	1,130	15	0	
44 Annual repairs to Suttamalli anicut across Tambraparni river	2,238	10	0	
45 Making up the bund, etc., Peruvarisuryan tank ..	914	4	5	100
46 Repairs to Andichimadagu weir in Nanguнerian channel	979	15	7	
47 Annual maintenance of the Kanadian channel, tanks fed by the channel	16,229	5	0	
48 Repairs to Pannakudian anicut across Pachayar ..	767	13	0	
49 Clearing silt and removing rocky obstructions in Kodagan channel	3,572	0	0	
50 Repairs to outlets 1 to 4, Pannakudian channel ..	823	10	0	
51 Repairs to I. No. 208, Pudugraman tank, Kodagan channel	763	1	0	125
52 Repairs to I. No. 214, Pettai-Periakulam under Kodagan channel	37	7	0	
53 Urgent repairs to the masonry works of Ayiraperi tank I. No. 260, Tenkasi	966	11	0	186
54 Repairs to Subbukutti anicut across Pachayar river.	1,921	11	0	
55 Repairs to Semmatti weir of Singampatti Perungal channel	948	4	0	
56 Ordinary repairs to Karumandiamman channel ..	6	0	0	
57 Conservancy establishment required for maintenance of tanks in Tinnevelly subdivision	746	6	0	
58 Annual repairs to the Suttamalli anicut across Tambraparni	232	0	0	
59 Repairs to flood damages, Kanadian channel	974	1	0	
60 Annual repairs to Kanadian anicut for 1932	1	8	0	
61 Annual repairs to Kanadian channel	24	0	0	
62 Annual repairs to the Kangayan channel for 1932 ..	2	0	0	
63 Annual repairs to the temporary anicut, Papanasam.	305	7	2	
64 Conservancy establishment for maintenance of channels, etc., Shermadevi subdivision	908	13	0	
65 Revetting left bank of Arasapattu channel in Manjalodai limits	1,144	8	0	
66 Repairs to flood damages, Kuthalaperi channel ..	649	0	0	
67 Repairs to flood damages of 1931 in Surandai tank and channel	751	4	6	
68 Closing breaches Shellianallur supply channel and tank	1,396	10	0	
69 Repairs to flood damages of 1931, Tinnevelly channel.	2,526	11	0	
70 Repairs to flood damages of 1931, Kodagan channel.	1,142	0	0	
71 Annual repairs to Ariyanayagipuram anicut for 1932.	255	8	0	
72 Repairs to flood damages of Palayam channel ..	979	9	0	
73 Repairs to Pillayarkulam anicut, channel, etc. ..	893	0	0	
74 Closing breaches in Gangaikondan leading channel ..	102	0	0	
75 Closing breaches in Piranjeri supply channel ..	357	0	0	
76 Repairs to flood damages, Kangayan channel and tanks	661	4	8	
77 Repairs to flood damages, Nadhiyunni anicut ..	7	3	0	
78 Rent on canal telephone lines	103	8	0	
79 Renewing the worn out screw gearing shutters of Suttamalli anicut across Tambraparni river ..	20	12	0	
80 Replacing rotten worn out shutters, etc., in Vadukachimathil tank	13	3	0	

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Item number and name of work.	Total charges during the year.			Ayacut if below 200 acres.
15 A-2. *Irrigation, Maintenance and Repairs*—cont.				
	RS.	A.	P.	ACS.
81 Repairs to Kilanatham-Pudukulam tank under Palayam channel	70	0	0	
82 Repairing damaged crest and building three buttress wall in the body-wall of Kulasekaraperi dam across Palayar river	140	9	0	
83 Making up the right bank above and below Eraiyadi channel dividing dam	77	0	0	
84 Making up bund and repairing sluice in Kulasekaraperi tank	255	13	6	30
85 Making up bund of Uranipathu tank in Tenkasi taluk	106	0	0	137
86 Repairs to Devanallur tank	484	0	0	
87 Strengthening left bank of Arasapathu channel in Manjanodai limits.	186	8	0	
88 Repairs to Sivan Pillai anicut and channel	685	10	0	57
89 Special repairs to the Pannakudian channel I. No. 59	416	0	0	
90 Tarring and oiling of shutters and screw gearings of tanks and channels in Tinnevelly division for 1931.	208	3	9	
91 Maintenance of the inspection bungalow at Kalakad for 1931	108	0	0	
92 Maintaining the inspection bungalow at Thirukarangudi	121	3	0	
93 Annual repairs to inspection bungalow at Kannadian anicut for 1931	1	10	0	
94 Annual repairs to shutter shed in the Kannadian anicut for 1931	0	14	0	
95 Annual repairs to lascars' shed, Kannadian anicut for 1931	0	8	0	
96 Annual repairs to Idaiyathukal channel for 1931 ..	56	1	0	18·5
97 Union and municipal taxes on buildings other than residential	8	4	0	
98 Clearing sand in the drainage of wet land under Pottaikulam tank in Thirumalaikolundupuram village	300	0	0	
99 Repairs to Vandankulam tank	317	8	0	65
100 Repairs to Kothikal channel	353	10	0	187
101 Repairs to Ambur-Perungal channel	719	2	0	
102 Annual repairs to South Kodamelalagian channel for 1931	711	9	0	
103 Special repairs to the anicut at the head of Gadama nadhi Thenkal	784	3	0	
104 Special repairs to Kakanallur anicut	606	6	0	
105 Special repairs to the lascars' shed, Thachanallur ..	83	0	0	
106 Repairs to Koravan weir of North Kodamelalagian channel	200	12	0	
107 Special repairs to Manjapalli channel	222	0	0	
108 Special repairs to outlet 1 to 4 in Gadamanadhi-Thenkal channel	618	12	0	
109 Special repairs to the Adachani anicut and channel.	555	15	0	
110 Annual repairs to Nathiyunni channel for 1931 ..	819	11	0	
111 Providing shutters to sluice Nos. 1, 2, 3 and 5 and other repairs to sluices in Adachani-Periyakulam..	131	7	0	
112 Annual repairs to the Kodamelalagian anicut for 1931	349	15	0	
113 Ordinary repairs to Puduparayankulam I. No. 175 ..	66	8	0	
114 Removing shoal and excavating leading channel in front of surplus escape Pambili, Periyakulam ..	143	0	0	
115 Special repairs to Adachani supply channel	112	12	0	
116 Repairs to No. 2 anicut across Pachayar at the head of Padmaneri tank and supply channel	438	11	9	

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15 *A*-2. *Irrigation, Maintenance and Repairs*—cont.

Item number and name of work.	Total charges during the year.	Ayacut if below 200 acres.
	RS. A. P.	ACS.
117 Revetting sides of the bund at breach site of Thirukarangudi tank	246 14 0	
118 Kuthalaperi supply channel, clearing vegetation ..	6 0 0	
119 Reconstructing the damaged skin wall in Pappankal.	1 9 6	
120 Special repairs to Ambur-Perungal anicut	688 3 0	
121 Repairs to I. No. 216. Mullikulam under Kodagan channel	572 1 0	34
122 Repairs to I. No. 215. Thamaraikulam under Tinnevelly channel	485 3 0	119
123 Special repairs to Kandamangalam anicut across Aluthakanniar river	679 11 0	
124 Emergent repairs to sluices in Thirukarangudi, Periyakulam	98 14 0	
125 Repairs to Marankulam tank	382 7 0	143
126 Repairs to I. No. 224. Pirayankulam tank under Tinnevelly channel	260 0 0	47
127 Special repairs to lascar shed, Suttamalli anicut ..	74 0 0	
128 Closing breaches in Nettur channel	57 0 0	
129 Special repairs to inspection bungalow, Kannadian anicut	46 0 0	
130 Repairs to division dam, etc., in Pavur channel ..	256 12 0	
131 Emergent repairs to bund of Thidiyur Sengulam tank	755 13 0	
132 Urgent repairs to Pallathu sluice No. 158 of Aryarkulam under Palayam channel	403 0 0	170
133 Repairs to flood damages of 1931 of Melakallur Pudukulam	406 8 0	130
134 Special repairs to the lascar shed at the Kanadian anicut	74 0 0	
135 Special repairs to shutter shed at the Kanadian anicut	48 0 0	
136 Special repairs to Poonjadikulam tank in Ambasamudram taluk	182 0 0	
137 Emergent repairs to Mela Thachakulam	281 0 0	
138 Union tax for Public Works Department inspection bungalow at Kalakad for 1931	3 4 0	
138-A Union tax for Public Works Department shutter shed Andichimadagu, Kalakad for 1931 ..	1 0 0	
139 Union and municipal taxes on buildings other than residential buildings for 1932	7 0 0	
140 Special repairs to triple dam across Thenkal channel of Chittar	289 0 0	
141 Special repairs to lascar shed at Melapavur of Tenkasi taluk	123 0 0	
142 Ringbunding breach in the body-wall of Nathiyunni anicut	184 10 0	
143 Tarring and oiling shutters and screw gearing of sluices in Tinnevelly division for 1932	56 0 0	
144 Annual maintenance of Public Works Department inspection bungalow, Tirukarangudi for 1932 ..	40 3 0	
145 Annual maintenance of inspection bungalow at Kalakad for 1932	43 6 0	
146 Repairs to flood damages of 1931 in Thiruchittambalam channel in Tenkasi taluk	283 8 0	163
147 Repairs to flood damages of 1931 in Ambur Perungal channel I. No. 174	462 5 0	
148 Repairs to flood damages in Kakkanallur channel and its tanks Nedungulam and Poonjadikulam ..	231 4 0	
149 Providing shutters and locking arrangements for scouring vents in outlet No. 1 of Pannakudian channel I. No. 59	53 0 0	
150 Repairs to flood damages of 1931 in Idayathukal ..	548 8 0	18·5
151 Closing breaches in Nathiyunni channel I. No. 167 ..	52 0 0	

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Item number and name of work.	Total charges during the year.			Ayacut if below 200 acres.
	RS.	A.	P.	ACS.
15 *A-2. Irrigation, Maintenance and Repairs*—cont.				
152 Repairs to flood damages of 1931 in Adachani anicut channel and Periyakulam	101	0	0	
153 Ordinary repairs to Kangayan anicut for 1932 ..	6	10	8	
154 Closing breaches in South Kodamelalagian channel..	75	0	0	
155 Closing breaches in Adachani anicut and channel ..	44	0	0	
156 Special repairs to the shutter shed Vannampacheri ..	62	0	0	
157 Closing breaches in Kila Chinthamani Periyakulam	510	8	0	
158 Special repairs to shutter shed at Rajavillipuram ..	69	0	0	
159 Repairs to flood damages of 1931 in Arasapathu channel	374	14	0	
160 Repairs to flood damages of 1931 in Nathiyunni channel	59	0	0	
Tank Restoration Scheme works.				
1 Repairs to Pettaikulam tank, Alagiapandiapuram group	100	10	0	24
2 Repairs and improvements to VII-B of Perungal channel	237	7	0	
3 Repairs to Thuppakudi Periyakulam and supply channel, Devarkulam group	901	4	0	
4 Repairs to Anandankulam tank	138	0	0	
5 Planting R.S. beams to the temporary anicut across Tambraparni river at Papanasam	8	12	0	
6 Repairs to No. 2 Pappankulam tank of Madankulam group	195	8	0	
7 Repairs and improvements to No. 206 Pappankal channel	466	7	0	
8 Repairs and improvements to Vadakal and Thenkal.	0	12	0	
9 Repairs to Alkolli anicut and head sluice across Ramanadhi C.R. No. 1 and T.R.S. No. 28–29 ..	551	6	0	
10 Repairs to Somaithangikulam of Mannarkoil village D.R. No. 1/29–30	89	0	0	58
11 Repairs to Vadapathikulam supply channel, C.R. No. 4/29–30	917	8	0	
12 Repairs to No. 4 Kalkurichikulam of Devarkulam group in Pappankulam village D.R. No. 20/29–30.	67	4	0	
13 Repairs to isolated Pallakal Periyakulam and Pettaikulam tank, C.R. No. 8 and T.R.S. No. 29–30 ..	1,217	14	0	184·17
14 Repairs to No. 3 Madankulam tank and supply channel D.R. No. 2/30–31	2,672	2	0	
15 Repairs to No. 1 Vadapathikulam tank and supply channel from Jambunadhi Vadapathikulam group.	1,632	0	0	
16 Repairs to Pallakulam of Pallankal group, D.R. No. 19/29–30	4	5	0	27
17 Repairs to No. 2 Thondamankal tank Valathukal group, D.R. No. 12/30–31	361	0	0	187
18 Repairs to No. 1 Valathakulam tank of Valathakulam group	744	0	0	138

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APPENDIX II.

[Vide answer to question No. 491 asked by Mr. K. S. Sivasubrahmanya Ayyar at the meeting of the Legislative Council held on the 25th January 1933, page 300 supra.]

From whom and the nature of the representation.	Subject.	Remarks.
(1)	(2)	(3)
Memorials from the ryots and mirasidars of Tanjore district, 1931.	Arrangements may be made to facilitate larger export of paddy and particularly railway freight for paddy may be reduced.	A large number of printed memorials in identical terms has been received.
Memorials from the ryots and mirasidars of Tanjore district, February 1932.	A committee consisting of officials and non-officials may be appointed to investigate our grievances and explore and find out the means of affording redress to us in the matter of (1) burden of land tax, (2) abnormal fall in the value of lands, (3) abnormal fall in the value of agricultural produce, (4) indebtedness of mirasidar, (5) reduction in railway freight for the transport of agricultural produce and (6) other similar grievances.	Do.
Resolution passed at the Tanjore Delta Mirasidars' Conference, Kumbakonam, dated 26th July 1931.	This conference brings to the notice of the Government that, in spite of the low prices prevailing, there is considerable slump of paddy in this district and the mirasidars have not been able to market the same at any reasonable price and, as such, the only way to give temporary relief at least to the mirasidars will be to reduce the existing heavy railway freight for paddy and other agricultural produce and to afford special facilities for the transport of the same to Colombo, West Coast districts, Salem, Coimbatore and other places and requests the Government to interfere and the Railway authorities to reduce the railway freight by at least 50 per cent and to give special facilities for transport.	
Resolution passed at the meeting of the Shiyali Taluk Mirasidars' Association, dated 17th February 1932.	In view of the prohibitive freight charges levied by the South Indian Railway which tells much upon the rice trade of these parts the Government are requested to address the Railway authorities on the subject and the Railway authorities are requested to show substantial concession in the matter as was given to wheat in North India and that with regard to Shiyali station the old concession rates be restored, viz., Rs. 11-4-0 per ton to Colombo and As. 3-1 to inland places from Shiyali.	
Resolution passed at the meeting of the Shiyali Taluk Mirasidars' Association, dated 2nd October 1932.	This meeting requests the Government that immediate steps should be taken to reduce the railway freight for transport of paddy and rice from Shiyali to Colombo and other stations.	

[25th January 1933

From whom and the nature of the representation.	Subject.	Remarks.
(1)	(2)	(3)
Memorial of the Pattukkottai Taluk Mirasidars' Association of October 1932.	Transport charges, etc., should be reduced by the railway, and adequate port facilities provided so as to maintain and, if possible, improve the present trade of Tanjore rice in Ceylon.	
Resolution passed at the meeting of the mirasidars of Kunnam village, Shiyali taluk, dated 9th November 1932.	This meeting requests the Government to take steps to reduce the railway freght for the transport of rice from Tanjore to Ceylon to such an extent as to encourage export in larger quantity.	
Resolution passed at the meeting of the mirasidars' of Achalpuram and Nallur villages, Shiyali taluk, dated 12th November 1932.	This meeting further requests the authorities that on no account the tarams of the lands be converted and that full facilities by way of reduction of railway rates be afforded for the full and free export of Tanjore rice to Colombo and other places.	
Resolution passed at the Conference of the Mannargudi Taluk Mirasidars, dated 26th November 1932.	This conference further requests— (1) that the high railway freight on rice from the several stations of the South Indian Railway in the Tanjore district be reduced and made proportionate to the distance; (2) that the ports of Muthupet, Thopputurai and Point Calimere, Tirumallavasal, etc., be opened for steamer traffic; (3) that better traffic facilities for these ports may be provided.	
Resolution passed at the Conference of the Tanjore District Cauvery Delta Mirasidars at Kumbakonam, dated 27th November 1932.	This conference urges the imperative necessity of reducing the railway freight to the level of pre-war rates and especially on account of the fact that the prices of agricultural produce have come down to a much lower level than the pre-war level.	
	The original markets for the Tanjore district paddy and rice must be made available for the export of rice and paddy, such as Ceylon, West Coast, Coimbatore, etc.	
	The Local Government are requested to bring pressure on the Government of India and the Railway Board to reduce the rates for agricultural products till at least the depression lasts.	
Resolution passed at the meeting of the mirasidars of the old Cauvery delta in Mayavaram and Shiyali taluks in the Tanjore district, dated 25th December 1932.	This meeting requests the Government and the Railway Rates Committee to reduce the existing rates of freight for the transport of paddy and rice from this district to Colombo and other places, as they are unduly heavy and operate as a handicap to our competition in foreign markets.	

25th January 1933]

Appendix III.

[Vide items VIII and IX on page 331 supra.]

BILLS Nos. 21 AND 22 OF 1931.

To

The Honourable the LEGISLATIVE COUNCIL
of the GOVERNOR of MADRAS.

We, the members of the Select Committee appointed to consider the Bill to amend the Madras Gaming Act, 1930, and the Bill to amend the Madras City Police Act, 1888 (viz., Bills Nos. 21 and 22 of 1931), have the honour to make the following report.

2. The Bills were published in the *Fort St. George Gazette* in English on the 15th of September 1931 and the 29th of September 1931 respectively.

3. We met on Saturday, the 19th of December 1931, and the 20th of January 1932 for the purpose of considering the provisions of the Bills.

4. The scope of the two Bills is exactly the same, one seeking to amend the Madras Gaming Act, 1930, which applies to the mufassal and the other the Madras City Police Act, 1888, which applies to the City of Madras. They seek to make two amendments in the Acts to which they respectively relate.

5. *First amendment—Clause 2 of the Bills.*—As section 5 of the Madras Gaming Act and section 42 of the Madras City Police Act stand at present, they authorize a Police Officer not below the rank of a Deputy Superintendent of Police in the mufassal and the Commissioner of Police in the City of Madras to issue a warrant to effect a search of any premises which he has reason to believe to be a common gaming house. The first amendment seeks to enable the officers in question themselves to conduct the search instead of issuing a warrant. We consider that the amendment is unobjectionable and approve of clause 2 of the Bills.

Second amendment—Clause 3 of the Bills.—This amendment relates to section 6 of the Madras Gaming Act and section 43 of the Madras City Police Act. As the sections now stand and as they have been interpreted by a decision of the Madras High Court, they merely enable instruments of gaming found on a search of premises under section 5 and section 42 of the said Acts respectively, to be used as ' evidence ' to be dealt with by the Court as any other evidence and to be accepted or not according to the circumstances of each case and they do not create any presumption of guilt against the accused. There is a similar decision of the Bombay High Court in interpretation of the corresponding provision of the Bombay Prevention of Gambling Act, 1887. The amendment proposed in the present Bills is intended to create a presumption against an

accused person from the fact of the discovery of instruments of gaming on his person or in his premises, on a search under the abovementioned sections. We are not in favour of such an amendment as it involves the risk of innocent persons being proceeded against under the Acts. We have therefore deleted clause 3 of these Bills.

6. We consider that the Bills as amended by us do not require republication.

W. M. BROWNING.
D. V. NARASIMHASWAMI.
* BASHEER AHMED SAYEED.
C. BASU DEV.
H. M. JAGANNADHAM.
ABDUL HAMEED KHAN.
* SAMI VENKATACHALAM CHETTI.
T. SUNDARA RAO NAYUDU.
P. SUBRAHMANYA CHETTI.
M. A. MANIKKAVELU NAYAKAR.
R. MADANAGOPAL NAYUDU.
A. KRISHNASWAMI.
MAHOMED USMAN.
M. KRISHNAN NAYAR.
C. NATESAN.

20th January 1932.

* Subject to minute of dissent.

MINUTES OF DISSENT.

In my opinion the Home Member will be well advised to withdraw this Bill for the present.

10th March 1932. BASHEER AHMED SAYEED.

The Bill is unnecessary.

10th March 1932. SAMI VENKATACHALAM CHETTI.

25th January 1933]

ANNEXURE I.

BILL No. 21 OF 1931.

A Bill to amend the Madras Gaming Act, 1930, for certain purposes.

(As amended by the Select Committee.)

Madras Act III of 1930. WHEREAS it is expedient to amend the Madras Gaming Act, 1930, for the purposes hereinafter appearing;

AND WHEREAS the previous sanction of the Governor-General has been obtained to the passing of this Act;

It is hereby enacted as follows:—

1. This Act may be called the Madras Gaming (Amendment) Act, 1932. Short title.

2. Section 5 of the Madras Gaming Act, 1930 (hereinafter referred to as the said Act), shall be renumbered as sub-section (1) of section 5, and to that section as renumbered the following sub-section shall be added, namely:— Amendment of section 42, Madras Act III of 1888.

"(2) Any Police officer having power to issue a warrant under sub-section (1) may, instead of doing so, himself exercise all or any of the powers exercisable under such warrant."

ANNEXURE II.

BILL No. 22 OF 1931.

A Bill further to amend the Madras City Police Act, 1888, for certain purposes.

(As amended by the Select Committee.)

Madras Act III of 1888. WHEREAS it is expedient further to amend the Madras City Police Act, 1888, for the purposes hereinafter appearing;

AND WHEREAS the previous sanction of the Governor-General has been obtained to the passing of this Act;

It is hereby enacted as follows:—

1. This Act may be called the Madras City Police (Amendment) Act, 1932. Short title.

Madras Act III of 1888. 2. Section 42 of the Madras City Police Act, 1888 (hereinafter referred to as the said Act), shall be renumbered as sub-section (1) of section 42 and to that section as renumbered the following sub-section shall be added, namely:— Amendment of section 5, Madras Act III of 1930.

"(2) The Commissioner may, instead of issuing a warrant under sub-section (1), himself exercise all or any of the powers exercisable under such warrant."

[25th January 1933

Appendix IV.

[Vide item X on page 332 supra.]

BILL No. 2 OF 1932.

A Bill further to amend the Madras City Police Act, 1888, for a certain purpose.

To

The Honourable the LEGISLATIVE COUNCIL
of the GOVERNOR of MADRAS.

We, the undersigned Members of the Select Committee appointed to consider the Bill further to amend the Madras City Police Act, 1888, for a certain purpose (Bill No. 2 of 1932), have the honour to submit the following report.

2. The Bill was published in the *Fort St. George Gazette* in English on the 16th February 1932.

3. We met on the 12th May 1932 at Stonehouse Hill, the Nilgiris, for the consideration of the Bill.

4. The Bill provides for the punishment of a false alarm of fire knowingly given. We consider that the mischief it seeks to penalize is serious enough to justify legislation. The present measure is drafted on the same lines as section 5 of the Bombay Police Amendment Act II of 1917. We have made some verbal amendments so as to make it clear that it is only when a person gives a false alarm of fire with knowledge of its falsehood that he will be liable under this enactment. We are not in favour of awarding imprisonment for an offence under this Act and have accordingly omitted that punishment.

5. We consider that the Bill does not require republication.

* SAMI VENKATACHALAM CHETTI.
N. SIVA RAJ.
GANALA RAMAMURTI.
C. BASU DEV.
D. V. NARASIMHASWAMI.
D. KRISHNAMURTI.
* BASHEER AHMED SAYEED.
DANIEL THOMAS.
F. E. JAMES (*Chairman*).
MAHOMED USMAN.
T. S. RAMASWAMI AYYAR.
V. M. RAMASWAMI.
G. SREERAMULU.

* Subject to a note.

25th January 1933]

NOTE.

In our opinion, no case has been made out for this Bill. It proceeds on the statement of the Commissioner of Police that there have been recently several cases of false alarm. No material is placed before the Committee to substantiate this statement. Evidently, the Commissioner of Police wanted this amendment because a similar provision exists in the Bombay City Police Act, although there is no warrant for it in this city at present. We are therefore of opinion that this Bill is unnecessary. However, the deletion of imprisonment as an alternative punishment to fine is welcome.

SAMI VENKATACHALAM CHETTI.
BASHEER AHMED SAYEED.

12*th May* 1932.

TAMIL NADU LEGISLATIVE ASSEMBLY
TRUTH ALONE TRIUMPHS

[25th January 1933

ANNEXURE.

BILL No. 2 OF 1932.

(As amended by the Select Committee.)

A Bill further to amend the Madras City Police Act, 1888, for a certain purpose.

Preamble. WHEREAS it is expedient further to amend the Madras City Police Act, 1888, for the purpose hereinafter appearing; Madras Act III of 1888.

AND WHEREAS the previous sanction of the Governor-General has been obtained to the passing of this Act;

It is hereby enacted as follows:—

Short title. 1. This Act may be called the Madras City Police (Amendment) Act, 1932.

Insertion of new section 62-A in Madras Act III of 1888. 2. After section 62 of the Madras City Police Act, 1888, the following section shall be inserted, namely:—

Penalty for false alarm of fire. "62-A. Whoever gives or causes to be given to any fire brigade in the City of Madras or to any officer or fireman thereof, whether by means of a street fire-alarm, statement, message or otherwise, any alarm of fire which he knows to be false, shall be liable on conviction to fine which may extend to one hundred rupees."

TRUTH ALONE TRIUMPHS

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